



**General Assembly
Security Council**

Distr.: General
26 September 2006

Original: English

General Assembly
Sixty-first session
Agenda item 90
General and complete disarmament

Security Council
Sixty-first year

**Letter dated 21 September 2006 from the Permanent
Representative of Belarus to the United Nations addressed to
the Secretary-General**

I have the honour to bring to your attention the statement of Sergei Martynov, Minister for Foreign Affairs of Belarus and Chairman of the Council of Ministers for Foreign Affairs of the States members of the Collective Security Treaty Organization, on the establishment of a nuclear-weapon-free zone in Central Asia. The statement was approved by all States members of the Collective Security Treaty Organization (see annex).

I should be grateful if you could have this letter and its annex circulated as a document of the General Assembly under agenda item 90 and of the Security Council.

(Signed) Andrei Dapkiunas



Annex to the letter dated 21 September 2006 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

[Original: Russian]

Statement by the Chairman of the Council of Ministers for Foreign Affairs of the States members of the Collective Security Treaty Organization

The States members of the Collective Security Treaty Organization (CSTO) are, as a matter of principle, consistent supporters of the adoption of effective international measures aimed at actively combating the proliferation of weapons of mass destruction and establishing nuclear-weapon-free zones.

We welcome the establishment of a new nuclear-weapon-free zone and the efforts made by the Central Asian States, four of which are States members of CSTO, to establish such a zone.

The signing of the Treaty on the establishment of a nuclear-weapon-free zone in Central Asia is a significant contribution to ensuring global and regional security and nuclear disarmament and non-proliferation, which is particularly relevant in the context of the global campaign against terrorism and prevention of the acquisition of weapons of mass destruction by terrorists.

There is no doubt that the establishment of a new nuclear-weapon-free zone will also help strengthen the Treaty on the Non-Proliferation of Nuclear Weapons and will give new impetus to negotiations within the framework of the United Nations on the entire range of nuclear non-proliferation issues.

We believe that only joint, consistent and persistent efforts can prevent the proliferation of nuclear weapons. In this connection, we call upon all countries to intensify and consolidate their efforts, both within the framework of the United Nations and within other international organizations, to prevent the spread of weapons of mass destruction and their means of delivery.



**General Assembly
Security Council**

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General Assembly
Sixty-first session
Agenda item 13
The situation in the Middle East

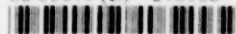
Security Council
Sixty-first year

**Identical letters dated 26 September 2006 from the Chargé
d'affaires a.i. of the Permanent Mission of Lebanon to the
United Nations addressed to the Secretary-General and the
President of the Security Council**

On the instructions of my Government, I transmit to you herewith a list of Israeli acts of aggression against Lebanon that took place between 23 and 26 September 2006 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 13, and of the Security Council.

(Signed) Caroline Ziade
Chargé d'affaires a.i.



Annex to the identical letters dated 26 September 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Israeli violations and acts of aggression against Lebanon from 0800 hours on 23 September 2006 to 0800 hours on 24 September 2006

From 0800 hours on 23 September 2006 to 0800 hours on 24 September 2006, despite the United Nations Security Council resolution calling for a cessation of hostilities as of 0800 hours on 14 August 2006, acts of aggression and land and air violations by the Israeli enemy continued, most notably:

Air violations

There was one air violation by an Israeli warplane and reconnaissance aircraft reported:

At 1800 hours, an enemy Israeli reconnaissance aircraft overflew the Tebnine area. Hostile warplanes also overflew the same area. They left Lebanese airspace at 1915 hours.

Injuries resulting from mines, cluster bombs and unexploded ordnance

At 1900 hours in the town of Aaita al-Chaab, a suspicious object left behind by the Israeli aggression exploded, resulting in injury to Muhammad and Yusuf Surur (their condition is not serious).

Israeli violations and acts of aggression against Lebanon from 0800 hours on 24 September 2006 to 0800 hours on 25 September 2006

From 0800 hours on 24 September 2006 to 0800 hours on 25 September 2006, despite the United Nations Security Council resolution calling for a cessation of hostilities as of 0800 hours on 14 August 2006, acts of aggression and air violations by the Israeli enemy continued:

Air violations

There were three air violations by enemy Israeli reconnaissance aircraft reported:

Between 0840 hours and 1000 hours, an Israeli aircraft overflew the Tair Harfa and Al-Naqoura areas.

At 1215 hours, an Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre in an easterly direction, and circled over areas of the South. It left Lebanese airspace at 1515 hours over Aalma al-Chaab.

Between 1230 hours and 1600 hours, two enemy Israeli reconnaissance aircraft overflew the Bent Jbail, Baraachit and Chaqra areas.

Injuries resulting from mines, cluster bombs and unexploded ordnance

At 1300 hours in Kafra Bent Jbail, a cluster bomb left behind by the Israeli aggression exploded, resulting in injury to a youth, Fahd Hijazi (12 years old), in his left leg.

Israeli violations and acts of aggression against Lebanon from 0800 hours on 25 September 2006 to 0800 hours on 26 September 2006

From 0800 hours on 25 September 2006 to 0800 hours on 26 September 2006, despite the United Nations Security Council resolution calling for a cessation of hostilities as of 0800 hours on 14 August 2006, acts of aggression and air violations by the Israeli enemy continued:

Air violations

There was one air violation by an enemy Israeli reconnaissance aircraft reported:

At 1010 hours, a reconnaissance aircraft violated Lebanese airspace over Aaitaroun in a northerly direction, and circled over areas of the South. It left Lebanese airspace at 1107 hours over Al-Naqoura.



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Agenda item 134

Financing of the United Nations Operation in Côte d'Ivoire

Revised budget for the United Nations Operation in Côte d'Ivoire for the period from 1 July 2006 to 30 June 2007

Report of the Secretary-General

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Summary

The General Assembly, by its resolution 60/17-B of 30 June 2006, appropriated the amount of \$420,175,200 for the maintenance of the United Nations Operation in Côte d'Ivoire (UNOCI) for the period from 1 July 2006 to 30 June 2007. This appropriation was based on the authorized strength of 200 military observers, 6,890 contingent personnel, including 120 force headquarters staff officers, 350 United Nations police officers, 375 formed police personnel, an approved civilian staffing establishment of 1,042 personnel (467 international and 575 national staff, including 36 National Officers), 277 United Nations Volunteers and 8 government-provided personnel.

The Security Council, by its resolution 1682 (2006) of 2 June 2006, authorized an increase in the strength of the military and police components of the Operation of up to 1,500 additional personnel, including a maximum of 1,025 military personnel and 475 police personnel.

The present report contains the revised budget for UNOCI for the period from 1 July 2006 to 30 June 2007, which amounts to \$472,889,300, representing an increase of \$52,714,100 compared to the approved 2006/07 budget. The revised resource requirements provide for the additional deployment of 1,025 military personnel, 100 United Nations police officers, 375 formed police personnel and 29 civilian personnel (7 international, 17 national staff and 5 United Nations Volunteers). The revised resource requirements continue to reflect 7 general temporary assistance positions for the Personnel Conduct and Discipline Unit. The total proposed strength is 8,115 military personnel, 450 United Nations police officers, 750 formed police personnel and the establishment of 1,066 civilian personnel (474 international and 592 national staff, including 36 National Officers), 282 United Nations Volunteers and 8 government-provided personnel.

The revised resource requirements of UNOCI have been linked to the Operation's objective through a number of results-based frameworks, grouped by components: ceasefire; disarmament, demobilization, reintegration, repatriation and resettlement; humanitarian and human rights; peace process; law and order; and support, which have been approved by the General Assembly in the context of its review of the budget for UNOCI for the period from 1 July 2006 to 30 June 2007 (A/60/753 and Corr.1) and remain unchanged. With the proposed additional resource requirements, the framework shows additional and/or revised outputs to the same expected accomplishments and indicators of achievement defined in the initial budget for UNOCI for the period from 1 July 2006 to 30 June 2007. The additional human resources of the mission in terms of the number of personnel have been attributed to the individual components, with the exception of the mission's executive direction and management, which can be attributed to the mission as a whole.

The explanations of variances in levels of both financial and human resources have been linked, where applicable, to specific outputs planned by the mission.

Financial resources

(Thousands of United States dollars. Budget year is from 1 July 2006 to 30 June 2007.)

Category	Apportionment (2005/06)	Initial apportionment (2006/07)	Revised cost estimates (2006/07)	Variance	
				Amount	Percentage
Military and police personnel	195 613.1	193 138.5	231 253.2	38 114.7	19.7
Civilian personnel	67 589.9	82 689.3	83 687.4	998.1	1.2
Operational costs	155 574.0	144 347.4	157 948.7	13 601.3	9.4
Gross requirements	418 777.0	420 175.2	472 889.3	52 714.1	12.5
Staff assessment income	7 616.4	7 880.4	8 020.1	139.7	1.8
Net requirements	411 160.6	412 294.8	464 869.2	52 574.4	12.8
Voluntary contributions in kind (budgeted)					
Total requirements	418 777.0	420 175.2	472 889.3	52 714.1	12.5

Human resources^a

	Military observers	Military contingents	United Nations police	Former police units	Inter- national staff	National staff	United Nations Volunteers	United Government- provided personnel	Total
Executive direction and management									
Approved 2006/07	—	—	—	—	22	11	1	—	34
Revised 2006/07	—	—	—	—	22	11	1	—	34
Components									
Ceasefire									
Approved 2006/07	200	6 890	—	—	3	2	—	—	7 095
Revised 2006/07	200	7 915	—	—	3	2	—	—	8 120
Disarmament, demobilization, reintegration, repatriation and resettlement									
Approved 2006/07	—	—	—	—	10	5	—	—	15
Revised 2006/07	—	—	—	—	10	5	—	—	15
Humanitarian and human rights									
Approved 2006/07	—	—	—	—	28	42	16	—	86
Revised 2006/07	—	—	—	—	28	42	17	—	87
Peace process									
Approved 2006/07	—	—	—	—	62	48	151	—	261
Revised 2006/07	—	—	—	—	62	48	151	—	261
Law and order									
Approved 2006/07	—	—	350	375	16	18	2	8	769
Revised 2006/07	—	—	450	750	16	18	2	8	1 244
Support^c									
Approved 2006/07	—	—	—	—	326	449	107	—	882
Revised 2006/07	—	—	—	—	333	466	111	—	910
Total									
Approved 2006/07	200	6 890	350	375	467	575	277	8	9 142
Revised 2006/07	200	7 915	450	750	474	592	282	8	10 670
Net change	—	1 025	100	375	7	17	5	—	1 529

^a Represents highest level of authorized proposed strength.

^b Includes National Officers and national General Service staff.

^c Includes the Security Section and 7 general temporary assistance positions for the Conduct and Discipline Team (1 P-5, 2 P-4, 1 P-2, 1 Field Service, 1 National Officer and 1 national General Service staff).

The actions to be taken by the General Assembly are set out in section IV of the present report.

I. Mandate and planned results

1. The mandate of the United Nations Operation in Côte d'Ivoire (UNOCI) was established by the Security Council in its resolution 1528 (2004) of 27 February 2004 for an initial period of 12 months as from 4 April 2004. By its resolution 1609 (2005) of 24 June 2005, the Council authorized the mandate of UNOCI as set out in paragraph 2 of the resolution, including the disarmament and dismantling of militias and support for the redeployment of State administration and the organization of open, free, fair and transparent elections in Côte d'Ivoire.

2. By its resolution 1633 (2005) of 21 October 2005, the Security Council, *inter alia*, reaffirmed its endorsement of the observation of the Economic Community of West African States and of the Peace and Security Council of the African Union on the impossibility of the organization of presidential elections in Côte d'Ivoire on the previously scheduled date and the decision of the Peace and Security Council that the President of Côte d'Ivoire shall remain Head of State for a 12-month period as from 31 October 2005. By the same resolution, the Council also supported the establishment of the International Working Group and the Mediation Group, both to be co-chaired by the Special Representative of the Secretary-General, and requested the International Working Group to draw up a road map in consultation with all Ivorian parties with a view to holding free, fair, open and transparent elections as soon as possible and no later than 31 October 2006.

3. Subsequently, by its resolution 1652 (2006) of 24 January 2006, the Security Council decided to extend the mandate of UNOCI until 15 December 2006.

4. By its resolution 1682 (2006) of 2 June 2006, the Security Council authorized, until 15 December 2006, an increase in the strength of the Operation of up to 1,500 additional personnel, including a maximum of 1,025 military personnel and 475 civilian police personnel.

5. Within this overall objective, during the budget period UNOCI will contribute to a number of expected accomplishments by delivering related key outputs shown in the frameworks. The frameworks are grouped by component: ceasefire; disarmament, demobilization, reintegration, repatriation and resettlement; humanitarian and human rights; peace process; law and order; and support, which have been approved by the General Assembly in the context of its review of the Operation's initial budget for 2006/07 (A/60/753 and Corr.1) and remain unchanged.

6. The frameworks show additional and/or revised outputs to the same expected accomplishments and indicators of achievement which have been defined in the initial budget for UNOCI. The human resources of the Operation in terms of the number of personnel have been attributed to the individual components. Additional human resource requirements compared with the initial 2006/07 budget have been explained under the respective components.

7. The organizational structure of the Operation, as outlined in the initial budget, remains unchanged. The mission headquarters will continue its operation from Abidjan, with two sector headquarters established in Bouaké (Sector East) and Daloa (Sector West) and a forward logistics base in Yamoussoukro. The number of field locations where UNOCI maintains its presence will be reduced from 95 to 84 as a result of co-locating some of the military observer sites and United Nations police sites with the military contingent sites.

Executive direction and management

8. Overall mission direction and management are to be provided by the immediate Office of the Special Representative of the Secretary-General.

Table 1

Human resources: executive direction and management

	International staff									United Nations	Government-provided personnel	Total
	USG-ASG	D-2-D-1	P-5-P-4	P-3-P-1	Field Service	General Service	Security Service	Subtotal	National staff ^a	Volunteers		
Office of the Special Representative of the Secretary-General												
Approved 2006/07	1	2	1	2	4	—	—	10	7	1	—	18
Revised 2006/07	1	2	1	2	4	—	—	10	7	1	—	18
Net change	—	—	—	—	—	—	—	—	—	—	—	—
Office of the Deputy Special Representative of the Secretary-General for Operations and Rule of Law												
Approved 2006/07	1	—	3	1	1	1	—	7	2	—	—	9
Revised 2006/07	1	—	3	1	1	1	—	7	2	—	—	9
Net change	—	—	—	—	—	—	—	—	—	—	—	—
Office of the Deputy Special Representative of the Secretary-General for Humanitarian Coordination, Recovery and Reconstruction												
Approved 2006/07	1	—	2	—	1	1	—	5	2	—	—	7
Revised 2006/07	1	—	2	—	1	1	—	5	2	—	—	7
Net change	—	—	—	—	—	—	—	—	—	—	—	—
Total												
Approved 2006/07	3	2	6	3	6	2	—	22	11	1	—	34
Revised 2006/07	3	2	6	3	6	2	—	22	11	1	—	34
Net change	—	—	—	—	—	—	—	—	—	—	—	—

^a Includes National Officers and national General Service staff.

Component 1: ceasefire

<i>Expected accomplishments</i>	<i>Indicators of achievement</i>
1.1 Stabilization of security conditions in Côte d'Ivoire	1.1.1-1.114 No change
<i>Outputs</i>	
Additional — new	
• 29,600 mobile and foot troop patrol days (20 troops per patrol x 2 patrols per company x 4 companies x 185 days) • 13,875 troop security/control person days (25 troops per checkpoint x 3 checkpoints per battalion x 1 battalion x 185 days) • 13,505 troop security person days for the close protection of the ministers of the Government of Côte d'Ivoire and other major political leaders (73 troops x 185 days)	
<i>External factors</i>	
• No change	

Table 2
Human resources: component 1, ceasefire

<i>Category</i>	<i>Total</i>
<i>I. Military observers</i>	
Approved 2006/07	200
Revised 2006/07	200
Net change	—
<i>II. Military contingents</i>	
Approved 2006/07	6 890
Revised 2006/07	7 915
Net change	1 025

International staff												
III. Civilian staff	USG -ASG	D-2 -D-1	P-5 -P-4	P-3 -P-1	Field Service	General Service	Security Service	Subtotal	National staff ^a	United Nations Volunteers	Government- provided personnel	Total ^b
Office of the Force Commander												
Approved 2006/07	—	2	—	—	—	1	—	3	2	—	—	5
Revised 2006/07	—	2	—	—	—	1	—	3	2	—	—	5
Net change	—	—	—	—	—	—	—	—	—	—	—	—
Grand total (I-III)												
Approved 2006/07												7 095
Revised 2006/07												8 120
Net change												1 025

^a Includes National Officers and national General Service staff.

Component 2: disarmament, demobilization, reintegration, repatriation and resettlement

<i>Expected accomplishments</i>	<i>Indicators of achievement</i>
2.1 Progress towards reintegration of national ex-combatants and former militias into Côte d'Ivoire society; repatriation and resettlement of foreign ex-combatants present in Côte d'Ivoire, with special attention to the specific needs of women and children	2.1.1-2.1.4 No change
<i>Outputs</i>	
Additional — new	
- Security arrangements for 11 disarmament sites within the 11 disarmament, demobilization and reintegration zones, including security of weapons and ammunition collection and storage sites - Collection, safekeeping/storage, transportation and/or neutralization/destruction of weapons, ammunition and other materiel in 11 disarmament sites	
<i>External factors</i>	
No change	

Table 3

Human resources: component 2, disarmament, demobilization, reintegration, repatriation and resettlement

Category													Total
I. Military observers													
Approved 2006/07													—
Revised 2006/07													—
Net change													—
II. Military contingents													
Approved 2006/07													—
Revised 2006/07													—
Net change													—
International staff													
III. Civilian staff	USG -ASG	D-2 -D-1	P-5 -P-4	P-3 -P-1	Field Service	General Service	Security Service	Subtotal	National staff ^a	United Nations Volunteers	Government- provided personnel		Total ^a
Disarmament, Demobilization and Reintegration Section													
Approved 2006/07	—	—	3	6	—	1	—	10	5	—	—	—	15
Revised 2006/07	—	—	3	6	—	1	—	10	5	—	—	—	15
Net change	—	—	—	—	—	—	—	—	—	—	—	—	—
Grand total (I-III)													
Approved 2006/07													15
Revised 2006/07													15
Net change													—

^a Includes National Officers and national General Service staff.

Component 3: humanitarian and human rights

<i>Expected accomplishments</i>	<i>Indicators of achievement</i>
3.1 Progress towards respect for human rights and accountability for human rights violations in Côte d'Ivoire	3.1.1-3.1.4 No change
<i>Outputs</i>	
• No change	
<i>Expected accomplishments</i>	<i>Indicators of achievement</i>
3.2 Improved humanitarian conditions in Côte d'Ivoire	3.2.1-3.2.6 No change
<i>Outputs</i>	
• No change	
<i>External factors</i>	
• No change	

Table 4

Human resources: component 3, humanitarian and human rights

<i>Category</i>	<i>Total</i>
<i>I Military observers</i>	
Approved 2006/07	—
Revised 2006/07	—
Net change	—
<i>II Military contingents</i>	
Approved 2006/07	—
Revised 2006/07	—
Net change	—

International staff											
III - Civilian staff	USG	D-2	P-5	P-4	Field General	Security	Subtotal	National staff ^a	United Nations	Government-provided personnel	Total
	ASG	D-1	P-4	P-3	Service	Service			Volunteers		
Human Rights Office											
Approved 2006/07	—	1	3	11	1	—	16	26	10	—	52
Revised 2006/07	—	1	3	11	1	—	16	26	10	—	52
Net change	—	—	—	—	—	—	—	—	—	—	—
Civil Affairs Section											
Approved 2006/07	—	—	4	1	—	1	6	1	—	—	7
Revised 2006/07	—	—	4	1	—	1	6	1	—	—	7
Net change	—	—	—	—	—	—	—	—	—	—	—
Child Protection Section											
Approved 2006/07	—	—	1	1	1	—	3	10	4	—	17
Revised 2006/07	—	—	1	1	1	—	3	10	4	—	17
Net change	—	—	—	—	—	—	—	—	—	—	—
Gender Issues Unit											
Approved 2006/07	—	—	1	1	—	—	2	2	—	—	4
Revised 2006/07	—	—	1	1	—	—	2	2	—	—	4
Net change	—	—	—	—	—	—	—	—	—	—	—
HIV/AIDS Unit											
Approved 2006/07	—	—	1	—	—	—	1	3	2	—	6
Revised 2006/07	—	—	1	—	—	—	1	3	3	—	7
Net change	—	—	—	—	—	—	—	—	1	—	1
Subtotal, civilian staff											
Approved 2006/07	—	1	10	14	2	1	28	42	16	—	86
Revised 2006/07	—	1	10	14	2	1	28	42	17	—	87
Net change	—	—	—	—	—	—	—	—	1	—	1
Grand total (I-III)											
Approved 2006/07											86
Revised 2006/07											87
Net change											1

^a Includes National Officers and national General Service staff.

HIV/AIDS Unit*Justification***• United Nations Volunteers: increase by 1 position**

9. The HIV/AIDS Unit, based in Abidjan, is involved in voluntary confidential counselling and testing throughout Abidjan and the sectors for all military and civilian personnel. This includes awareness-training, peer activities and counselling services on a monthly basis during which the personnel in the Unit spend on average 10 days per battalion. The current staffing of the Unit, comprising six personnel (1 P-4, 2 National Officers, 1 national General Service staff and 2 United Nations Volunteers), is also involved in providing advice throughout the country by closely working with the Government, civil societies, non-governmental organizations and national institutions on awareness-training programmes and national HIV/AIDS campaigns in Côte d'Ivoire. The Unit, as part of its overall support, has also integrated HIV/AIDS awareness into the disarmament, demobilization and reintegration process. With the authorized increase in the military strength of the mission, the HIV/AIDS Unit will be required to conduct induction briefing programmes for new civilian and military staff and provide continuous awareness-training and counselling services. It is therefore proposed to strengthen the Unit with the establishment of an additional HIV/AIDS Counsellor/trainer (United Nations Volunteer) to be deployed in Sector East (Bouaké) and cover Bouaké, Korhogo, Daloa and other UNOCI bases in the sector. The incumbent will be responsible for planning, implementing and monitoring programme activities and provide support for peer education programmes and technical support for the integration of HIV in disarmament, demobilization and reintegration activities.

Table 5
Human resources: component 4, peace process

<i>Category</i>	<i>Total</i>
<i>I. Military observers</i>	
Approved 2006/07	—
Revised 2006/07	—
Net change	—
<i>II. Military contingents</i>	
Approved 2006/07	—
Revised 2006/07	—
Net change	—

<i>International staff</i>											
<i>(II) Civilian staff</i>	<i>U.S.G.</i>	<i>D-3</i>	<i>P-5</i>	<i>P-4</i>	<i>Field General Service</i>	<i>Security Service</i>	<i>Subtotal</i>	<i>National staff*</i>	<i>United Nations Volunteers</i>	<i>Government provided personnel</i>	<i>Total</i>
	<i>ASG</i>	<i>D-1</i>	<i>P-4</i>	<i>P-3</i>	<i>Service</i>	<i>Service</i>					
Political Affairs Office											
Approved 2006-07	—	1	6	7	—	1	15	2	—	—	17
Revised 2006-07	—	1	6	7	—	1	15	2	—	—	17
Net change	—	—	—	—	—	—	—	—	—	—	—
Electoral Assistance Office											
Approved 2006-07	—	1	6	15	—	2	24	1	136	—	161
Revised 2006-07	—	1	6	15	—	2	24	1	136	—	161
Net change	—	—	—	—	—	—	—	—	—	—	—
Communications and Public Information Office											
Approved 2006-07	—	1	3	11	4	1	20	45	11	—	76
Revised 2006-07	—	1	3	11	4	1	20	45	11	—	76
Net change	—	—	—	—	—	—	—	—	—	—	—
Civil Affairs Section											
Approved 2006-07	—	—	—	3	—	—	3	—	4	—	7
Revised 2006-07	—	—	—	3	—	—	3	—	4	—	7
Net change	—	—	—	—	—	—	—	—	—	—	—
Subtotal, civilian staff											
Approved 2006-07	—	—	15	36	4	4	62	48	151	—	261
Revised 2006-07	—	3	15	36	4	4	62	48	151	—	261
Net change	—	—	—	—	—	—	—	—	—	—	—
Grand total (I-III)											
Approved 2006-07											261
Revised 2006-07											261
Net change											—

* Includes National Officers and national General Service staff.

Component 5: law and order

<i>Expected accomplishments</i>	<i>Indicators of achievement</i>
5.1 Enhanced public law and order and creation of a sustainable operational capacity of the National Police and the Gendarmerie in Côte d'Ivoire	5.1.1-5.1.2 No change
<i>Outputs</i>	
Additional — revised	
• Conduct daily mentoring visits to 20 prefectures de police, 6 legions, commissariats, companies and squadrons in the northern part of Côte d'Ivoire • Conduct 100 security escorts monthly for United Nations personnel deployed throughout the country and security reinforcement for 11 disarmament, demobilization and reintegration sites • Conduct 12 refresher courses on internationally recognized policing standards for the National Police and the Gendarmerie • Conduct 6 training courses for 900 members of the Forces de défense et de sécurité at the Gendarmerie and police academies to improve their professional capacity for crowd control	
Additional — new	
• 18,500 patrol days (2 United Nations police officers per patrol x 50 patrol teams x 185 days) aimed at re-establishing law and order and public confidence in State institutions in Sectors East and West throughout the government-controlled zone and along the Zone • Advise national law enforcement agencies on police operations, investigations, community policing and special programmes, such as the Traffic Accident Brigade and Airport Security, with the deployment of the United Nations Police Liaison Officer and technical advisers at the Operational Command Post and Unit's Operation's Room • Conduct separate joint patrols with Forces armées des forces nouvelles, Forces de défense et de sécurité and Licorne along the Zone of Confidence to ensure the protection of civilians under imminent threat of physical violence • Train and advise approximately 600 individuals from the Forces nouvelles, Ivorian police and Gendarmerie in crowd control and security issues related to the disarmament, demobilization and reintegration process	
<i>External factors</i>	
• No change	

Table 6
Human resources: component 5, law and order

Category	Total											
I. United Nations police												
Approved 2006/07												350
Revised 2006/07												450
Net change												100
II. Formed police units												
Approved 2006/07												375
Revised 2006/07												750
Net change												375
International staff												
III. Civilian staff	USG -ASG	D-2 -D-1	P-5 -P-4	P-3 -P-1	Field Service	General Service	Security Service	Subtotal	National staff ^a	United Nations Volunteers	Government-provided personnel	Total ^a
Office of the Police Commissioner												
Approved 2006/07	—	1	4	1	1	2	—	9	9	—	—	18
Revised 2006/07	—	1	4	1	1	2	—	9	9	—	—	18
Net change	—	—	—	—	—	—	—	—	—	—	—	—
Rule of Law, Judicial System and Prison Advisory Section												
Approved 2006/07	—	—	4	2	—	1	—	7	9	2	—	18
Revised 2006/07	—	—	4	2	—	1	—	7	9	2	—	18
Net change	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal, civilian staff												
Approved 2006/07	—	1	8	3	1	3	—	16	18	2	—	36
Revised 2006/07	—	1	8	3	1	3	—	16	18	2	—	36
Net change	—	—	—	—	—	—	—	—	—	—	—	—
IV. Government-provided personnel												
Approved 2006/07												8
Revised 2006/07												8
Net change												—
Grand total (I-IV)												
Approved 2006/07												769
Revised 2006/07												1 244
Net change												475

^a Includes National Officers and national General Service staff.

Component 6: support*Expected accomplishments**Indicators of achievement*

6.1 Effective and efficient logistical, administrative and security support to the Operation	6.1.1-6.1.4 No change
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*Outputs***Service improvements**

- No change

Additional — revised**Military, United Nations police and civilian personnel**

- Rotation of an average of 7,915 troops and 200 military observers
- Rotation of an average of 450 United Nations police officers and 750 formed police personnel
- Provision and distribution to 32 delivery points of food items for an average of 7,915 troops and 750 formed police personnel
- Maintenance of adequate emergency stocks of composite ration packs and bottled potable water for an average of 7,915 troops, 200 military observers, 450 United Nations police officers and 750 formed police personnel at all locations
- Administration of an average of 474 international staff, 36 national officers, 556 national General Service staff and 282 United Nations Volunteers

Facilities and infrastructure

- Maintenance of 13 premises in Abidjan, 36 in Sector East and 35 in Sector West
- Operation and maintenance of 475 generators (269 United Nations-owned and 206 contingent-owned)
- Operation and maintenance of 15 water purification systems in 10 locations (2 in Abidjan, 6 in Sector East and 2 in Sector West)

Ground transportation

- Operation and maintenance of 977 United Nations-owned and 1,343 contingent-owned vehicles, including 83 armoured personnel carriers, at all locations

Communications

- Support and maintenance of 35 very small aperture terminals systems at 22 locations, 46 telephone exchanges, 73 repeaters, 33 microwave links and 74 rural links, 10 FM radio transmitter stations, 1,873 mobile radios (HF and VHF), 471 base station radios (HF and VHF), 2,729 hand-held radios and 161 Thuraya GSM Satellite phones

Information technology

- Support and maintenance of Local Area Networks (LAN) and Wide Area Networks (WAN), 1,507 desktop computers, 67 servers, 545 laptop computers, 1,327 printers, 46 scanners and 78 digital senders in 28 locations

Medical

- Operation and maintenance of 1 level-I-plus clinic, 17 level-I clinics, 2 level-II hospitals at two regional headquarters; maintenance of contractual arrangements with a level-III hospital in Abidjan and a level-IV hospital in Accra

External factors

- No change

Table 7

Human resources: component 6, support

Category	Total											
I. Military observers												
Approved 2006/07	—											
Revised 2006/07	—											
Net change	—											
II. Military contingents												
Approved 2006/07	—											
Revised 2006/07	—											
Net change	—											
International staff												
III. Civilian staff	USG -ASG	D-2 -D-1	P-5 -P-4	P-3 -P-1	Field Service	General Service	Security Service	Subtotal	National staff ^a	United Nations Volunteers	Government- provided personnel	Total ^a
Conduct and Discipline Team ^b												
Approved 2006/07	—	—	3	1	1	—	—	5	2	—	—	7
Revised 2006/07	—	—	3	1	1	—	—	5	2	—	—	7
Net change	—	—	—	—	—	—	—	—	—	—	—	—
Office of the Chief Administrative Officer												
Approved 2006/07	—	1	6	2	5	3	—	17	5	—	—	22
Revised 2006/07	—	1	6	2	5	3	—	17	5	—	—	22
Net change	—	—	—	—	—	—	—	—	—	—	—	—

International staff												
III. Civilian staff	USG -ASG	D-2 -D-1	P-5 -P-4	P-3 -P-1	Field Service	General Service	Security Service	Subtotal	National staff ^a	United Nations Volunteers	Government- provided personnel	Total ^b
Administrative services												
Approved 2006/07	—	—	9	17	31	3	—	60	90	33	—	183
Revised 2006/07	—	—	9	17	32	3	—	61	94	35	—	190
Net change	—	—	—	—	1	—	—	1	4	2	—	7
Integrated support services												
Approved 2006/07	—	—	11	32	120	9	—	172	295	74	—	541
Revised 2006/07	—	—	11	33	125	9	—	178	308	76	—	562
Net change	—	—	—	1	5	—	—	6	13	2	—	21
Security section												
Approved 2006/07	—	—	2	8	32	12	18	72	57	—	—	129
Revised 2006/07	—	—	2	8	32	12	18	72	57	—	—	129
Net change	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal, civilian staff												
Approved 2006/07	—	1	31	60	189	27	18	326	449	107	—	882
Revised 2006/07	—	1	31	61	195	27	18	333	466	111	—	910
Net change	—	—	—	1	6	—	—	7	17	4	—	28
Grand total (I-III)												
Approved 2006/07												882
Revised 2006/07												910
Net change												28

^a Includes National Officers and national General Service staff.

^b Represents general temporary assistance positions.

Office of the Chief Administrative Officer

Office of the Chief Administrative Services

Counselling Unit

Justification

• United Nations Volunteers: increase by 1 position

10. The Counselling Unit, comprising one P-4 post and one United Nations Volunteer, provides counselling services throughout the mission. During the period from February to August 2006, the Unit received a total of 207 requests for individual consultations from personnel in Abidjan and Sector East. During the same period the Unit conducted 15 group counselling programmes, various critical incident debriefings, induction training for new staff and sensitization for other staff in various sites. In connection with the increase of 100 United Nations police and

the proposed increase in the civilian staffing, it is proposed to strengthen the Unit through the establishment of an additional Staff Counsellor (United Nations Volunteer) who will provide assistance and guidance to the police personnel and staff in Sector West where hostility towards United Nations personnel is at its greatest.

Finance Section

- **International staff: increase by 1 post**
- **National staff: increase by 1 post**

11. The Payroll Unit of the Finance Section, consisting of six personnel (1 P-3, 2 Field Service, 1 National General Service and 2 United Nations Volunteers), is involved in the processing and disbursement for entitlements such as the mission subsistence and daily subsistence allowances. With the increase in the authorized number of military and police personnel, the Finance Section anticipates a significant increase in the workload of the Payroll Unit, particularly in areas such as cashier and disbursement, when issuing payments and settling invoices. In order to provide adequate support to the additional military and police personnel, it is proposed to strengthen the Unit with the establishment of two Finance Assistant posts (1 Field Service and 1 national General Service staff). The establishment of the Field Service post will increase the capacity for the processing of Mission Subsistence Allowance entitlements and special food allowance for the gendarmes. The tasks of the post will involve the regular review of attendance records and the update of information on payments. The incumbent of the national General Service post will assist in the processing of daily and leave allowances as well as travel-related expenses.

General Service Section

- **United Nations Volunteers: increase by 1 position**
- **National staff: increase by 3 posts**

12. With the increase in the authorized number of military and police personnel, the mission plans to create at least one military site and undertake major construction at five existing sites. This will considerably impact the operational requirements of the General Service Section with regard to sanitation, sewage and removal of hazardous materials both at the five existing sites and the new military site. The Section does not have any approved posts for drivers and meets its operational requirements through the employment of individual contractors. The limitation imposed on the duration of employment of individual contractors has put considerable strains on the activities of the Section, which is required to change drivers periodically and train them on the mission's requirements and procedures. It is therefore proposed to increase the capacity of the Section with the establishment of two Driver posts (national General Service staff) who will be located at each of the sectors headquarters and will operate United Nations-owned garbage and sewage trucks. The posts will service remote locations that are not accessible to national vendors.

13. The Assets and Hazardous Material Disposal Unit is currently involved in carrying out environmental ground inspections for the proper disposal of hazardous material and other waste, such as oil, batteries and tires. The Unit, comprised of one

Disposal Officer (Field Service) and three Disposal Assistants (1 national General Service and 2 United Nations Volunteers), anticipates a significant increase in its workload following the increase in the military and police personnel and the increase in the number of assets that will be used in the mission area (contingent-owned equipment and United Nations-owned equipment). It is therefore proposed to strengthen the Unit's capacity with the establishment of one Property Disposal Assistant (national General Service).

14. The Claims Unit of the General Service Section carries out the processing of claims such as third-party vehicle claims and write-offs owing to damages, theft or loss, hostile action, obsolescence and normal wear and tear. The Unit currently processes approximately 50 cases monthly with an authorized staffing level of four personnel (1 P-3, 1 Field Service and 2 national General Service). The work of the Unit also involves the submission of certain cases to the United Nations Headquarters Property Survey Board and to the United Nations Claims Review Board. The Unit anticipates an increase in its current workload owing to the fact that a significant amount of information technology and communications equipment is scheduled to be written off during the financial year and, consequently, will not be able to meet the additional requirements resulting from the increase in the military and police personnel. It is therefore proposed to strengthen the Unit with the establishment of an additional Claims/Property Survey Assistant position (United Nations Volunteer).

Office of the Chief of Integrated Support Services

Contingent-owned Equipment Unit

• International staff: increase by 2 posts

15. The Contingent-owned Equipment Unit oversees the initial inspection and verification and conducts periodic reviews and inspections of all contingent-owned equipment that arrives in the mission area. This includes the monthly inspection of all major equipment and each self-sustainment category, for which verification reports are produced quarterly. The Unit has an authorized staffing of 10 personnel; 1 Chief (P-4), 2 Contingent-owned Equipment Officers (P-3), 6 Contingent-owned Equipment Assistants (2 Field Service, 1 international General Service, 2 national General Service and 1 United Nations Volunteer) and one Administrative Assistant (national General Service). In connection with the deployment of specialized equipment from the additional 1,025 military personnel and 375 formed police units, the Unit anticipates a considerable increase in its workload. Owing to the complexity involved in inspecting specialized equipment and specialized units, and the need to ensure timely processing of the verification reports against which troop-contributing countries are reimbursed, it is proposed that the Unit be strengthened through the establishment of two Contingent-owned Equipment Assistant posts (Field Service).

Engineering Section

- **International staff: increase by 1 post**
- **National staff: increase by 3 posts**
- **United Nations Volunteers: increase by 1 position**

16. In order to meet the accommodation requirements of the additional military and police personnel, the mission plans to establish seven new camps, four of which will be set up in Abidjan to accommodate 850 troops, 125 formed police units and 73 gendarmes. One camp will be set up in Sector East for the 125 formed police units and office accommodation for approximately 50 United Nations police officers throughout the Sector. Lastly, two camps will be set up in Sector West for 102 troops and 125 formed police units and office accommodation for approximately 50 United Nations police officers throughout the Sector. Currently, the implementation of construction projects and day-to-day building management and maintenance works are being led by one Engineer (P-3). With the expansion of the mission, the number of new construction projects for the additional personnel and those resulting from the ongoing redeployment is considerable. In addition, the completion of the first phase of the hardwall accommodation projects and other facilities has increased the Mission-wide maintenance requirements. In order to meet the additional requirements, it is proposed to strengthen the capacity of the Engineering Section with the establishment of the post of Maintenance Engineer (P-3). The operational requirements demand that the construction and maintenance functions of the Buildings Management Unit be separated and led individually by an engineer, while the Chief of the Construction Unit focuses on ongoing construction works and the redeployment projects. The Maintenance Unit would be led by the Maintenance Engineer (P-3).

17. The mission currently has two water treatment plants located in Sector East and provides bottled water to approximately 50 per cent of the troops. In addition to the plants, the mission has 12 water purification units at different locations; Sebroko (1 x 10,000 litres and 1 x 20,000 litres), the American School (20,000 litres), Daukro (20,000 litres), Bondoukou (12,000 litres), Korhogo (12,000 litres), San Pedro (20,000 litres), Tabou (10,000 litres), Yamoussoukro (10,000 litres), Daloa (12,000 litres) and Bouaké (2 x 12,000 litres). In order to meet the requirements arising from the additional military and police personnel, the mission plans to acquire a new water treatment plant to be located in Sector East. It is proposed to establish four posts (3 national General Service Staff and one United Nations Volunteer) to perform the functions of filling, capping and palletizing at the new water treatment plant.

Communications and Information Technology Services

- **International staff: increase by 2 posts**
- **National staff: increase by 3 posts**
- **United Nations Volunteers: increase by 1 position**

18. In order to provide support to the additional battalion and three formed police units, the Communications and Information Technology Services will install and maintain 4 additional PABX nodes (2 in Abidjan, 1 in Yamoussoukro and 1 in Guiglo). The additional 73 gendarmes, 100 United Nations police officers and

28 civilian staff will be connected to an expanded telecommunications infrastructure. Presently, the mission has 31 PABX nodes in 29 locations. With the expansion, those numbers will increase to 35 PABX nodes in 30 locations. The Communications and Information Technology Services currently has eight Telecommunication Technician posts (2 Field Service and 6 national General Service).

19. With regard to the satellite infrastructure, the currently approved five satellite technicians install and maintain 24 satellite Earth stations in 20 locations and 33 digital microwave links installed throughout the mission area. The expansion of the mission will require that four additional microwave links be established and maintained. This will include regular routine preventative maintenance to ensure the reliability of both the satellite and microwave links.

20. The Communications and Information Technology Services have also identified the need to provide support for the Helpdesk and the installation and maintenance of user connections to the LAN/WAN. Currently, the Communications and Information Technology Services has 10 Information Technology Assistant posts for the Helpdesk (3 Field Service, 6 national General Service and 1 United Nations Volunteer) and eight Information Technology Assistant posts for the support of LAN/WAN (1 P-2, 2 Field Service, 3 national General Service and 2 United Nations Volunteers).

21. It is therefore proposed to establish six posts, namely one Telecommunication Technician (Field Service post), one Satellite Technician (national General Service post), one Information Technology Assistant for the Helpdesk (Field Service post) and three Information Technology Assistants for the LAN/WAN (2 national General Service posts and 1 United Nations Volunteer) in order to strengthen the capacity of the Section.

Movement Control Section

- **International staff: increase by 1 post**
- **National staff: increase by 3 posts**

22. The Joint Movement Control Centre is part of the Movement Control Section and is located at mission headquarters in Abidjan. The Joint Movement Control Centre/Strategic Movements Unit is responsible for detailed advance planning, budgeting and coordination of all major non-routine movements, as well as the deployment, rotation and repatriation of military contingents and police units and the redeployment in the theatre of formed military units, military observer team sites and United Nations police personnel. The Control Centre desk officer coordinates and liaises with the military units to plan requirements and ensure that the troops and their equipment are rotated safely and to raise and manage movement control aspects of contingency plans. The desk officer is part of a team for international shipping reception/dispatch in the host country for large-scale or complex movements, such as rotations, to ensure compliance with the rules and regulations of international civil aviation organizations and the International Maritime Organization. With the proposed increase of troop strength by one infantry battalion and three formed police units, the Joint Movement Control Centre/Strategic Movements Unit will be required to plan and execute up to nine additional rotations throughout the year. In addition, the Unit will be responsible for the planning and

relocation within theatre of civilian and military unit elements and the organization of the support to the disarmament, demobilization and reintegration process and electoral tasks. It is therefore proposed to strengthen the capacity of the Unit with the establishment of one additional desk officer (Field Service post).

23. With 50,400 kilometres of paved roads, Côte d'Ivoire is developed in terms of ground transportation network and inland transportation movements. All planned deployment areas for the proposed troop reinforcements and disarmament, demobilization and reintegration sites are accessible by road. Experience has shown that the movement of contingent-owned equipment and United Nations-owned equipment does not cease once it is deployed to the mission. The Operation therefore expects an increase in its road inland transportation movements when receiving and deploying the additional military and civilian personnel to their areas of responsibility and redeploying them in accordance with operational requirements and military coverage directed by specific disarmament, demobilization and reintegration and election operations. The post-election force reconfiguration for the additional battalion and the formed police units and their requirements for inland transport support are also foreseen in the revised logistics support requirements for 2006/07.

24. At present, shortcomings in the asset composition of the military transportation company in theatre (particularly in heavy lifting and transportation of oversized/containerized cargo) are met by some United Nations-owned equipment and civilian contracted services under the management of Movement Control. However, limited competition and the concentration of commercial assets in Abidjan make costs for inland transportation services within the territory of Côte d'Ivoire extremely expensive. The mission is augmenting its heavy transport fleet with United Nations-owned equipment in order to attain a suitable level of self-sufficiency and effectiveness in the heavy transport movements that will be required by the new elements and their mandated missions and the resulting increased volume of overall movements within the mission area. To this end, the mission has acquired, during the 2005/06 financial period, six specialized lowbed tractor trailers to strengthen the capability of Movement Control to transport heavy cargo. It is therefore proposed to strengthen the capacity of the mission with the establishment of three Driver posts (national General Service).

Transport Section

• National staff: Increase by four posts

25. The approved staffing in the Transport Section comprises 31 Vehicle Technician posts (19 in headquarters and 6 in each sector) to support a fleet of 824 vehicles. This number represents a ratio of 26 vehicles for each vehicle technician. In connection with the increase in the mission's fleet by a total of 82 vehicles (79 general purpose 4x4, 1 medium bus and 2 armoured vehicles), the section anticipates an increase in routine maintenance and unscheduled repairs resulting from accidents as well as damage to suspensions and tires. Taking into consideration the current distribution of work in the Section, it is proposed to strengthen its capacity with four additional Vehicle Mechanics (national General Service posts) to support the increase in the vehicle fleet.

II. Resource requirements

A. Overall

(Thousands of United States dollars. Budget year is 1 July 2006 to 30 June 2007.)

Category	Apportionment (2005-06) (1)	Initial apportionment (2006-07) (2)	Revised cost estimates (2006-07) (3)	Variance	
				Amount (4) = (3) - (2)	Percentage (5) = (4) ÷ (2)
Military and police personnel					
Military observers	9 783.3	9 777.3	9 777.3	—	—
Military contingents	160 183.6	157 672.1	182 845.4	25 173.3	16.0
United Nations police	14 544.8	15 786.1	19 922.5	4 136.4	26.2
Formed police units	11 101.4	9 903.0	18 708.0	8 805.0	88.9
Subtotal	195 613.1	193 138.5	231 253.2	38 114.7	19.7
Civilian personnel					
International staff ^a	50 419.7	62 499.7	63 109.8	610.1	1.0
National staff ^b	9 844.7	11 881.8	12 097.0	215.2	1.8
United Nations Volunteers ^c	7 325.5	8 307.8	8 480.6	172.8	2.1
Subtotal	67 589.9	82 689.3	83 687.4	998.1	1.2
Operational costs					
General temporary assistance	192.1	686.7	1 062.5	375.8	54.7
Government-provided personnel	412.5	424.6	424.6	—	—
Civilian electoral observers	—	—	—	—	—
Consultants	179.7	189.9	189.9	—	—
Official travel	1 246.4	1 616.9	1 647.6	30.7	1.9
Facilities and infrastructure	53 774.8	50 352.2	58 016.1	7 663.9	15.2
Ground transportation	12 709.7	16 194.5	19 615.0	3 420.5	21.1
Air transportation	46 035.3	37 388.4	37 388.4	—	—
Naval transportation	24.1	79.2	79.2	—	—
Communications	18 148.2	16 122.2	17 081.3	959.1	5.9
Information technology	5 309.3	4 330.0	4 676.0	346.0	8.0
Medical	5 461.2	5 949.4	6 104.7	155.3	2.6
Special equipment	2 543.6	2 805.0	2 910.1	105.1	3.7
Other supplies, services and equipment	8 537.1	7 208.4	7 753.3	544.9	7.6
Quick-impact projects	1 000.0	1 000.0	1 000.0	—	—
Subtotal	155 574.0	144 347.4	157 948.7	13 601.3	9.4
Gross requirements	418 777.0	420 175.2	472 889.3	52 714.1	12.5
Staff assessment income	7 616.4	7 880.4	8 020.1	139.7	1.8
Net requirements	411 160.6	412 294.8	464 869.2	52 574.4	12.8
Voluntary contributions in kind (budgeted)	—	—	—	—	—
Total requirements	418 777.0	420 175.2	472 889.3	52 714.1	12.5

^a Revised cost estimates for 2006/07 are inclusive of a 15 per cent vacancy rate. The same rate applied in the initial 2006/07 budget.

^b Revised cost estimates for 2006/07 are inclusive of a 10 per cent vacancy rate. The same rate applied in the initial 2006/07 budget.

^c Revised cost estimates for 2006/07 are inclusive of a 10 per cent vacancy rate. The same rate applied in the initial 2006/07 budget.

B. Non-budgeted contributions

26. The estimated value of non-budgeted contributions for the period from 1 July 2006 to 30 June 2007 is as follows:

(Thousands of United States dollars)

Category	Estimated value
Status-of-forces agreement ^a	2 656.4
Voluntary contributions in kind (non-budgeted)	—
Total	2 656.4

^a Inclusive of land and buildings.

C. Contingent-owned equipment: major equipment and self-sustainment

27. Revised requirements for the period from 1 July 2006 to 30 June 2007 are based on standard reimbursement rates for major equipment (wet and dry-lease) and self-sustainment in the total amount of \$68,120,900 as follows:

(Thousands of United States dollars)

Category	Initial estimated amount	Revised estimated amount	Increase
Major equipment			
Military observers	—	—	—
Military contingents	26 525.2	32 190.6	5 665.4
Formed police units	2 466.0	4 751.8	2 285.8
Subtotal	28 991.2	36 942.4	7 951.2
Self-sustainment			
Facilities and infrastructure			
Catering (kitchen facilities)	2 162.5	2 197.4	34.9
Office equipment	1 833.7	1 864.1	30.4
Electrical	2 335.0	2 371.9	36.9
Minor engineering	1 337.3	1 358.5	21.2
Laundry and cleaning	1 880.6	1 909.8	29.2
Tentage	1 798.0	1 828.0	30.0
Accommodation	3 038.6	3 089.7	51.1
Miscellaneous general stores	3 744.4	3 801.7	57.3
Unique equipment	4.9	5.3	0.4
Field defense stores	70.4	70.4	—

<i>Category</i>	<i>Initial estimated amount</i>	<i>Revised estimated amount</i>	<i>Increase</i>
Communications			
Communications	6 138.6	6 236.8	98.2
Medical			
Medical services	3 538.9	3 597.9	59.0
Special equipment			
Explosive ordnance disposal	682.3	691.9	9.6
Observation	2 122.7	2 155.1	32.4
Subtotal	30 687.9	31 178.5	490.6
Total	59 679.1	68 120.9	8 441.8

<i>Mission factors</i>	<i>Percentage</i>	<i>Effective date</i>	<i>Last review date</i>
A. Applicable to mission area			
Extreme environmental condition factor	1.8	14 March 2004	—
Intensified operational condition factor	1.9	14 March 2004	—
Hostile action/forced abandonment factor	1.5	14 March 2004	—
B. Applicable to home country			
Incremental transportation factor	0.25-3.75		

D. Training

28. The estimated requirements for training for the period from 1 July 2006 to 30 June 2007 are as follows:

(Thousands of United States dollars)

<i>Category</i>	<i>Initial estimated amount</i>	<i>Revised estimated amount</i>	<i>Variance</i>
Consultants			
Training consultants	64.3	64.3	—
Official travel			
Official travel, training	776.2	806.9	30.7
Other supplies, services and equipment			
Training fees, supplies and services	105.0	105.0	—
Total	945.5	976.2	30.7

29. The additional training programme developed by the Operation is designed to provide support to United Nations police officers in carrying out the mission's mandate and assessing and evaluating potential monitors for United Nations missions.

III. Analysis of variances¹

Reference

The present section describes the single largest contributing factor of each resource variance according to specific standard options encompassed in the four standard categories listed below:

Mandate: variances caused by changes in the scale or scope of the mandate, or changes in the expected accomplishments as driven by the mandate

External: variances caused by parties or situations external to the United Nations

Cost parameters: variances caused by United Nations regulations, rules and policies

Management: variances caused by management actions to achieve planned results more effectively (e.g., by reprioritizing or adding certain outputs) or efficiently (e.g., by taking measures to reduce personnel or operational inputs while maintaining the same level of outputs) and/or from performance-related issues (e.g., by having underestimated the costs or quantities of inputs required to produce a certain level of outputs, or by delayed recruitment)

	<i>Variance</i>	
Military contingents	\$25 173.3	16.0%

- **Mandate: increase in the military strength of the Operation**

30. The variance of \$25,173,300 is attributable to the authorized increase of 1,025 military personnel. The estimate provides for the standard troop cost reimbursement and allowances, the emplacement and rotation of the additional personnel, rations, compensation for death and disability, reimbursement for the usage of the additional contingent-owned equipment, and air and surface transport of the additional contingent-owned equipment. The computation of the estimated requirements is based, where applicable, on a phased deployment and includes a 5 per cent delayed deployment factor.

	<i>Variance</i>	
United Nations police	\$4 136.4	26.2%

- **Mandate: increase in the United Nations police strength of the Operation**

31. The variance of \$4,136,400 under this heading is attributable to the increase in the United Nations police strength of the Operation by 100 personnel. The estimates

¹ Resource variance amounts are expressed in thousands of United States dollars.

provide for mission subsistence allowance, the emplacement and rotation of the additional personnel, clothing allowance and compensation for death and disability. The computation of the estimated requirements is based, where applicable, on a phased deployment and includes a 10 per cent delayed deployment factor.

	<i>Variance</i>	
Formed police units	\$8 805.0	88.9%

• **Mandate: increase in the formed police strength of the Operation**

32. The variance of \$8,805,000 is attributable to the increase in the formed police personnel of the Operation by 375 personnel. The estimates provide for the standard formed police reimbursement and allowances, the emplacement and rotation of the additional personnel, rations, compensation for death and disability, reimbursement for the usage of the additional contingent-owned equipment, and air and surface transport of the additional contingent-owned equipment. The computation of the estimated requirements is based, where applicable, on a phased deployment and includes a 5 per cent delayed deployment factor.

	<i>Variance</i>	
International staff	\$610.1	1.0%

• **Management: increased inputs and outputs**

33. The variance of \$610,100 is attributable to the proposed increase in the civilian staffing establishment of the Operation by seven international staff. The estimates are based on the phased deployment of the additional staff and reflect the application of a 15 per cent delayed recruitment factor. Salary and staff assessment rates derived from the mission-specific average expenditure by staff category and grade levels in the 2004/05 financial period have been used in the computation of estimated requirements. Common staff costs have been estimated at 65 per cent of net salaries for the additional international staff.

	<i>Variance</i>	
National staff	\$215.2	1.8%

• **Management: increased inputs and outputs**

34. The variance of \$215,200 is attributable to the proposed increase in the civilian staffing establishment of the Operation by 17 national staff. The estimates are based on the phased deployment of the additional staff and reflect the application of a 10 per cent delayed recruitment factor. The estimated resource requirements are also based on the G-4, step IV, salary, staff assessment and common staff costs of the revised national staff salary scales in effect from 1 June 2005 and include the hazardous duty station allowance.

	<i>Variance</i>	
United Nations Volunteers	\$172.8	2.1%

- **Management: increased inputs and outputs**

35. The variance of \$172,800 under this heading is attributable to the increase in the United Nations Volunteers establishment of the Operation by five additional positions. The estimates are based on a phased deployment and include a 10 per cent delayed deployment factor.

	<i>Variance</i>	
General temporary assistance	\$375.8	54.7%

- **Management: increased inputs and outputs**

36. The variance of \$375,800 is attributable to the requirements in the Engineering Section for temporary assistance in the installation and maintenance of camps to accommodate the additional military and police personnel. The estimate represents the equivalent of 4 Field Service staff and 16 national General Service staff for a period of seven months to perform the functions of Design Assistant, Building Management Assistants, Generator Mechanics, Electricians, Air Conditioner Technicians and Plumbers.

	<i>Variance</i>	
Official travel	\$30.7	1.9%

- **Management: increased inputs and outputs**

37. The variance of \$30,700 under this heading relates to the travel of United Nations police for selection assistance team training.

	<i>Variance</i>	
Facilities and infrastructure	\$7 663.9	15.2%

- **Management: increased inputs and outputs**

38. The variance of \$7,663,900 relates to the acquisition of various items for the accommodation of the additional personnel. The estimates provide for the acquisition of additional hard and soft-wall prefabricated facilities, generators, a water treatment plant to be located in Sector East and related consumables. The estimates also include provisions for the rental of premises in Abidjan and in the sectors for the additional military and police personnel, and for alteration, renovation and construction services together with related supplies. Lastly, the additional requirements include provisions for the reimbursement for self-sustainment to countries contributing troops and formed police personnel.

	<i>Variance</i>	
Ground transportation	\$3 420.5	21.1%

• **Management: increased inputs and outputs**

39. The variance under this heading is attributable mainly to the acquisition of 79 general purpose 4x4 vehicles, 1 medium bus and 2 armoured civilian vehicles together with the provision for petrol, oil and lubricant. The estimates also include provision for repairs and maintenance, spare parts, third-party liability insurance for the 79 United Nations-owned vehicles as well as provisions for third-party liability insurance and petrol, oil and lubricants with respect to 227 additional contingent-owned vehicles. The computation of requirements for petrol, oil and lubricants reflects the application of a 10 per cent off-the-road factor.

	<i>Variance</i>	
Communications	\$959.1	5.9%

• **Management: increased inputs and outputs**

40. The variance of \$959,100 is attributable mainly to the acquisition of various communications equipment in connection with the expansion of the mission. The estimated additional requirements also provide for commercial communication charges, spare parts and the reimbursement of self-sustainment costs to countries contributing troops and formed police personnel.

	<i>Variance</i>	
Information technology	\$346.0	8.0%

• **Management: increased inputs and outputs**

41. The variance of \$346,000 is attributable mainly to the acquisition of 43 desktop computers, 32 laptops and various information technology equipment in connection with the expansion of the mission. The estimated additional requirements also provide for information technology services, licenses, fees and rental of software as well as spare parts and supplies.

	<i>Variance</i>	
Medical	\$155.3	2.6%

• **Management: increased inputs and outputs**

42. The variance of \$155,300 under this heading relates to the requirement for additional medical services, supplies and the reimbursement of self-sustainment to countries contributing troops and formed police personnel.

	<i>Variance</i>	
Special equipment	\$105.1	3.7%

• **Management: increased inputs and outputs**

43. The variance is attributable to the acquisition of observation equipment and the reimbursement of self-sustainment to countries contributing troops and formed police personnel.

	<i>Variance</i>	
Other supplies, services and equipment	\$544.9	7.6%

• **Management: increased inputs and outputs**

44. The variance under this heading is attributable mainly to the requirement for customs clearance, freight forwarding and inland transportation of United Nations-owned equipment within the mission area, which includes commercial shipments and inter-mission transfers. The estimates also include a provision for the rotation of the emergency reserve stocks of composite ration packs and bottled water for seven international civilian staff and five United Nations Volunteers, for miscellaneous claims and adjustments, for uniforms, flags and decals as well as welfare for the gendarmes.

IV. Actions to be taken by the General Assembly

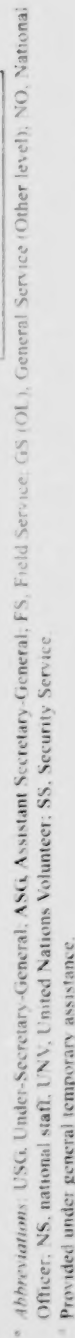
45. The actions to be taken by the General Assembly in connection with the financing of the Operation are:

(a) Appropriation of the additional amount of \$52,714,100, for the maintenance of the Operation for the 12-month period from 1 July 2006 to 30 June 2007; taking into account the amount of \$420,175,200 already appropriated under the terms of General Assembly resolution 60/17 B;

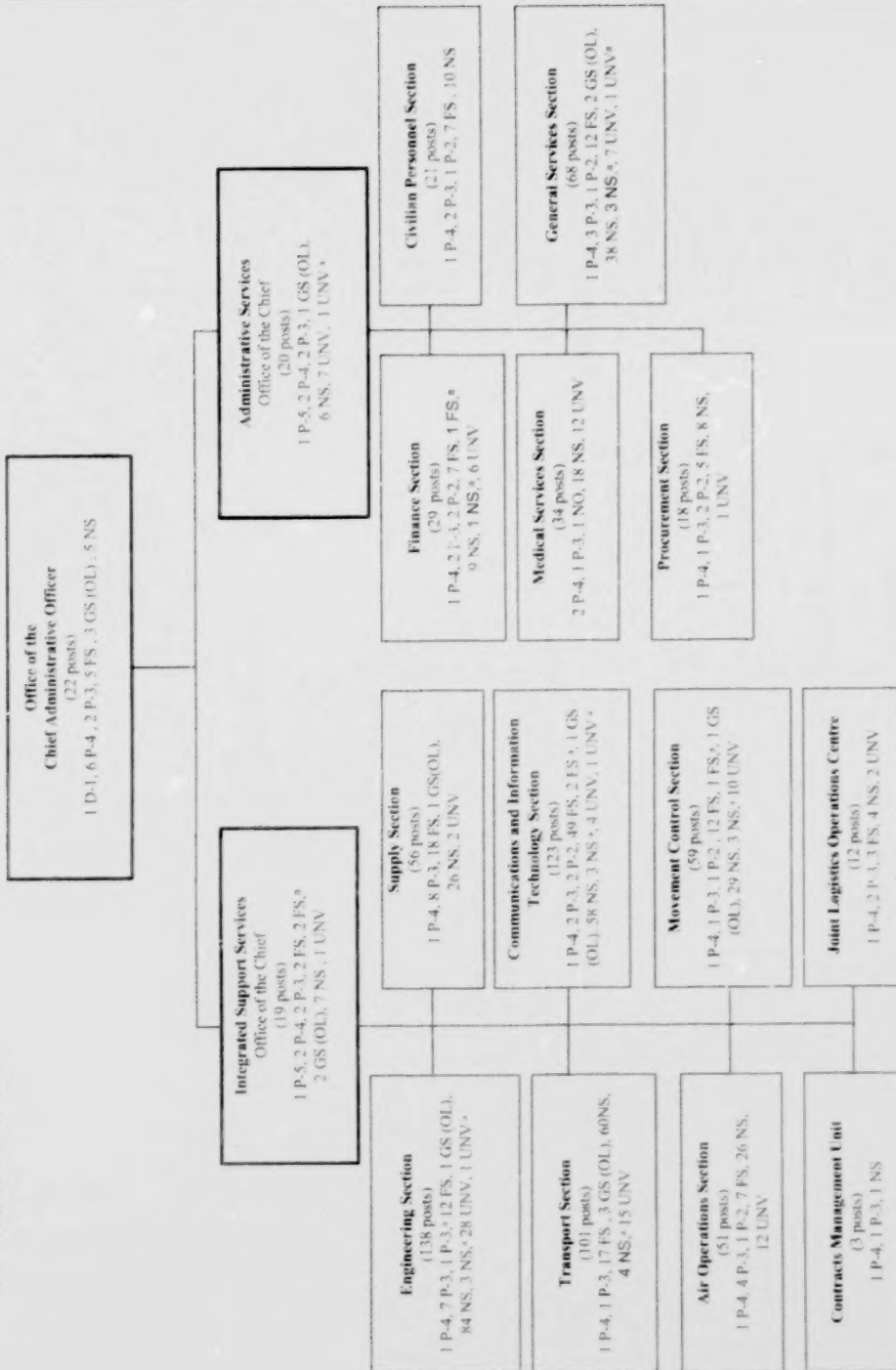
(b) Assessment of the amount in paragraph (a) above at a monthly rate of \$4,392,841, should the Security Council decide to continue the mandate of the Operation.

Organization charts*

A. Substantive offices

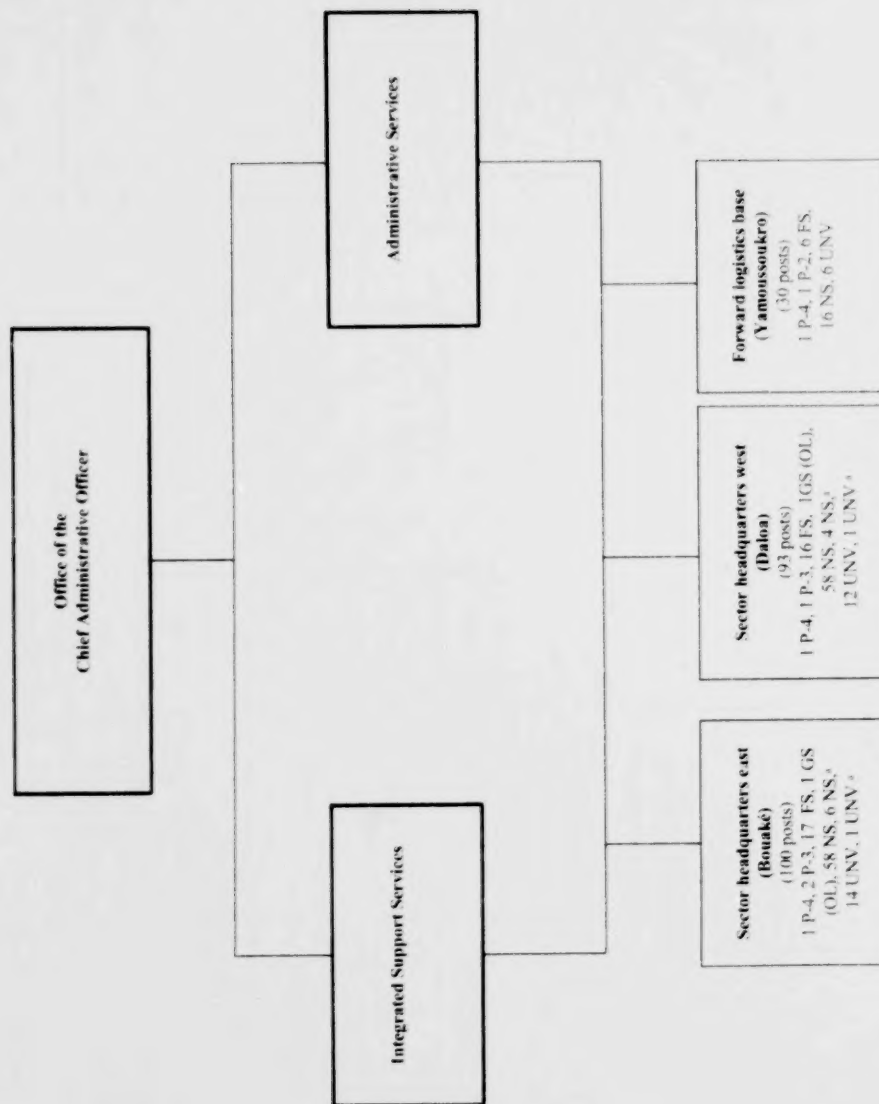


B. Administration

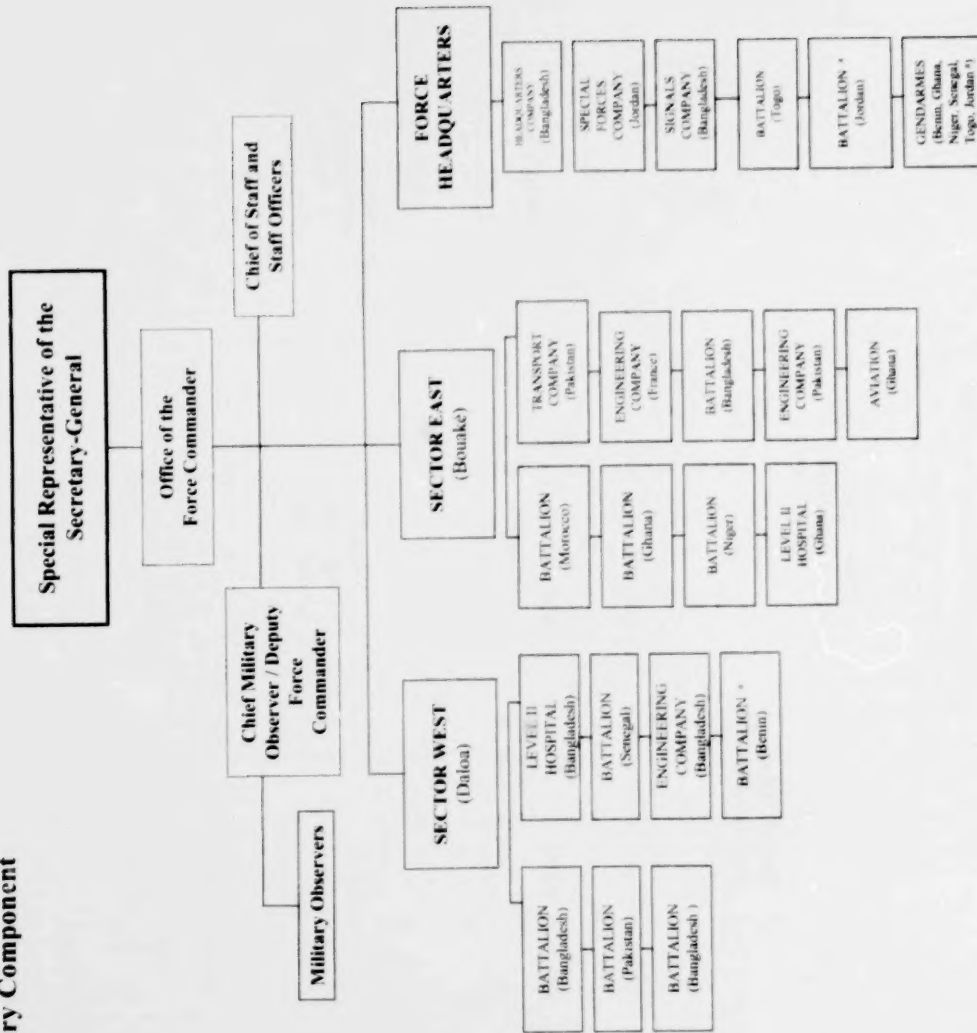


* New

C. Regional administration

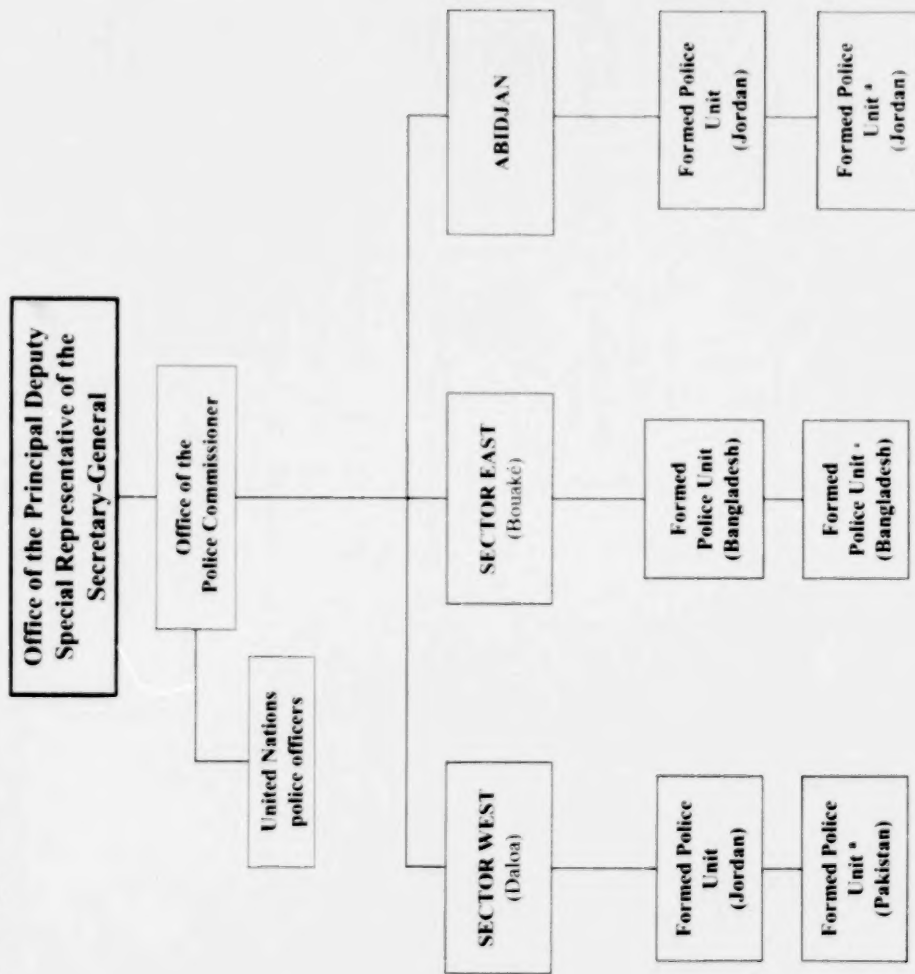
^a New

D. Military Component



* Additional personnel approved by the Security Council in its resolution 1682 (2006).

E. Police Component



* Additional personnel approved by the Security Council in its resolution 1682 (2006).

UNOCI

Deployment as of
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Agenda item 67 (c)

Promotion and protection human rights: human rights situations and reports of special rapporteurs and representatives

Situation of human rights in the Sudan

Note by the Secretary-General*

Summary

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Special Rapporteur on the situation of human rights in the Sudan, Sima Samar, submitted in accordance with Human Rights Council decision 1/102, in which the Council decided to extend, exceptionally for one year, the mandates and the mandate holders of the special procedures of the Commission on Human Rights.

In its resolution 2005/82 the Commission on Human Rights established the mandate of the Special Rapporteur. The Special Rapporteur, Sima Samar, visited the Sudan in October 2005 and delivered an oral statement to the Third Committee of the General Assembly on 27 October 2005. She will present her first report (E/CN.4/2006/111) to the Human Rights Council at its second session. The present report presents the findings of her second and third visits to the Sudan, undertaken in March and August 2006, respectively.

The Special Rapporteur reports that the slow pace of implementation of the Comprehensive Peace Agreement, the lack of reform and ongoing violations of human rights and fundamental freedoms threaten the consolidation of peace in the Sudan. In accordance with her mandate, she refers in particular to the lack of reform of the security sector, the legal framework and accountability. She emphasizes the importance of transparency and consultation with a broad spectrum of society, especially relevant professional groups, to build confidence in the impartiality and effectiveness of the process and to ensure that the reforms respond effectively to the actual needs of victims and society in general.

* The present report was submitted after the deadline to reflect the most recent developments.



She reports on the situation in Darfur following the signing of the Darfur Peace Agreement in May 2006 between the Government of National Unity and the Sudan Liberation Army/Minawi faction, which calmed tensions and violence between the two parties. As not all factions signed the agreement there has been an escalation of violence between the signatories and non-signatories. She reports that the Government of National Unity, allied militia and the rebel groups were perpetrating serious abuses of international human rights law and international humanitarian law with impunity. She warns that the situation will deteriorate further if the Government of National Unity, with the support of the international community, does not act to prevent further attacks on civilians. She notes with concern that the space for freedom of expression, association and assembly is closing and that human rights defenders are being targeted. In addition, she briefly reports on the human rights situation in different parts of the country. She expresses concern regarding violations of the rights of internally displaced persons living around Khartoum and the situation in Eastern and Southern Sudan. In Southern Sudan the situation is gradually improving, although it also suffers from insecurity, especially in the rural areas, as illegal armed groups and militias commit abuses with impunity.

The Special Rapporteur urges the Government of National Unity in particular, and all other parties, to fulfil their obligations under international human rights and humanitarian law, especially with regard to protection of civilians, or risk individual criminal responsibility for such acts as war crimes and crimes against humanity. The Special Rapporteur urges the Government of National Unity to find non-violent means to resolve the conflicts in the country, based on respect for human rights and fundamental freedoms for sustainable peace and stability in the Sudan.

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List of abbreviations

ACHR	Advisory Council for Human Rights
AMIS	African Union Mission in the Sudan
CPA	Comprehensive Peace Agreement
DPA	Darfur Peace Agreement
NHRC	National Human Rights Commission
IDP	Internally displaced person
INC	Interim National Constitution
JEM	Justice and Equality Movement
LRA	Lord's Resistance Army
NCRC	National Constitutional Review Commission
NGO	Non-governmental organization
SAF	Sudan Armed Forces
SLM/A	Sudan Liberation Movement Army
SPLA	Sudanese Peoples' Liberation Army
UNMIS	United Nations Mission in the Sudan

I. Introduction

1. The Commission on Human Rights in its resolution 2005/82 established the mandate of the Special Rapporteur on the situation of human rights in the Sudan for a period of one year. The Special Rapporteur was requested to monitor the human rights situation in the Sudan and report to the Commission on Human Rights (now the Human Rights Council) and the General Assembly. Sima Samar was appointed as Special Rapporteur in August 2005. The Human Rights Council, in its decision 1/102, decided to extend for one year the mandates and the mandate holders of all the Commission's special procedures.

2. The report prepared for the Commission on Human Rights following my first visit to the Sudan in October 2005 (E/CN.4/2006/111) will be presented to the Human Rights Council at its second session, held from 18 September to 6 October 2006.

3. The present report presents the findings of my second and third visits to the Sudan and covers the period March to August 2006.

4. During my visit in March 2006, in Khartoum, I met with the State Minister for Foreign Affairs, the Minister of Justice, the Deputy Minister of the Interior, the Acting Director and the Deputy of National Intelligence and Security Service, the Rapporteur of the Advisory Council for Human Rights (ACHR), the Minister of Humanitarian Affairs, the Head of the Unit to Combat Violence against Women and Children, the Under-Secretary at the Ministry of Finance, the State Minister at the Presidential Palace, representatives of civil society, parliamentarians, representatives of political parties, leaders of Arab tribes from Darfur and representatives of the United Nations Mission in the Sudan (UNMIS). I also visited Juba where I met with representatives of the Government of Southern Sudan, the Minister of Legal Affairs and Constitutional Development, the Committee on Human Rights and Humanitarian Affairs, the Committee on Gender and Social Welfare of the Southern Sudan Legislative Assembly, representatives of civil society and representatives of UNMIS and visited an internally displaced persons (IDPs) transit camp.

5. During my visit in August, in Khartoum, I met with the Minister for Foreign Affairs, the Senior Assistant to the President of the Sudan, the Rapporteur of the Advisory Council for Human Rights, the General Commissioner of Humanitarian Affairs, the Head of the Unit to Combat Violence against Women and Children, the Head of the National Assembly Human Rights Committee, representatives of civil society, UNMIS and the African Union Mission in the Sudan (AMIS). I also visited an IDP settlement. I visited Al Fasher, Northern Darfur, where I met the Deputy Governor and other local officials, representatives of civil society, IDP community leaders, and representatives of AMIS and UNMIS. In Al Geneina, Western Darfur, I met with the Deputy Governor, the Chief Justice, the Head of the National Intelligence and Security Service, the Chief of Police, the State Prosecutor, representatives of civil society, IDP community leaders, international NGOs, UNMIS and the United Nations Country Team.

6. I would like to thank the Government of National Unity, the Government of Southern Sudan and in particular ACHR for facilitating my missions to the country. I would also like to thank UNMIS Human Rights for providing me with support during my visits. I would also like to thank all the people who took the time to brief

me on the human rights situation in the country, in particular the victims of human rights violations who shared their personal stories with me. I commend the work done by national human rights defenders in the Sudan and the international agencies for their work to further the protection of human rights and provide humanitarian assistance to vulnerable populations in need.

II. General situation

A. International legal framework

7. The Sudan is party to a number of international human rights treaties. These included the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Prevention and Punishment of the Crime of Genocide and the Slavery Convention of 1926. The Sudan has ratified both Optional Protocols to the Convention on the Rights of the Child and has recently submitted its initial report under the Optional Protocol on the sale of children, child prostitution and child pornography. The Sudan is also a party to the African Charter on Human and Peoples' Rights. Under these treaties, the Government has the obligation to respect, protect and fulfil the human rights of those within its jurisdiction. The Sudan is a signatory to the Rome Statute of the International Criminal Court and therefore is bound to refrain from acts which would defeat the object and purpose of the Statute.

8. The Sudan has signed but not ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Sudan is not a State party to the Convention on the Elimination of All Forms of Discrimination against Women or the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. In March, ACHR informed me that it had recommended that the Sudan should ratify the Convention against Torture before the next session of the Commission on Human Rights and it was considering ratification of the Convention on the Elimination of All Forms of Discrimination against Women.

9. The Sudan and other parties to the conflict are also bound by international humanitarian law, in particular common article 3 to the Geneva Conventions. The Sudan also acceded to the two Additional Protocols to the Geneva Conventions in 2006. In addition to treaty law, the Sudan and parties involved in armed conflict are bound by customary rules of international humanitarian law. These include: protecting civilians against violence to life and person; prohibiting deliberate attacks on civilians and civilian objects; prohibiting attacks aimed at terrorizing civilians; taking precautions to minimize incidental loss and damage as a result of attacks; and ensuring that when attacking military objectives, incidental loss to civilians is not disproportionate to the military gain anticipated, and prohibiting pillage.

B. National framework, institutions and reforms

10. The signing of the Comprehensive Peace Agreement (CPA), the Interim National Constitution (INC) and the Interim Constitution of Southern Sudan in 2005 marked a watershed in the Sudan's commitment to end a history of human rights violations and brought great hope and expectations for change. However, the reform process has not been transparent. There have been delays in the implementation of CPA, including in the harmonization of national legislation with INC and international human rights standards, which have caused disappointment and lack of confidence in the parties and the impartiality of the process.

11. During the period under review some of the security provisions of CPA have been implemented. The redeployment of the Sudan Armed Forces (SAF) from Southern Sudan is generally on schedule, and on 4 July the Sudanese Peoples' Liberation Army (SPLA) completed its redeployment from eastern Sudan. CPA security mechanisms such as the Ceasefire Joint Military Committee and the Area Joint Military Committees are largely functioning as intended, investigating violations and resolving conflict through discussions. However, the incorporation of Other Armed Groups (OAGs) into formal State forces (SAF and SPLA) and the formation of the Joint Integrated Units are behind schedule as is implementation of the power- and wealth-sharing aspects of CPA. The delineation of the North-South border remains contentious. No progress was made on implementing the Abyei Protocol as the National Congress Party rejected the Abyei Boundaries Commission report. The failure to appoint a local Executive Council or Abyei Area Council has left the people of Abyei largely without formal policing, public sanitation and health services. Abyei remains both a yardstick for CPA implementation and a flashpoint for violence.

12. I asked about the harmonization of national laws with INC and international human rights standards which are a priority for democratic transition and greater protection of human rights. In March I was informed that 63 laws had been identified as being in need of review. However, the legislative reform agenda required by CPA is worryingly behind schedule. More than one year after the adoption of INC, laws which seriously violate the Constitution and international human rights standards are still in use. Only the NGO bill¹ and the bill on the National Human Rights Commission (NHRC) have been circulated for public comment. The April to July session of the National Assembly made no progress regarding reform of important laws for the protection of human rights including the Criminal Act, the Criminal Procedure Act, the National Security Act, the Armed Forces Act, the Press and Publications Act and the Police Forces Act. I was informed by the Government that bills were being prepared to reform these acts for the next session of the National Assembly. I strongly recommended that bills be released for public comment and that consultations be held without delay with a broad spectrum of society, especially relevant professional groups, to ensure that the proposed reforms respond effectively to the actual needs of victims and society in general.

13. In this context, the Human Rights Standing Committee and the Committee on Legislation and Humanitarian Affairs of the National Assembly are playing a pioneering role in creating space for discussion between different stakeholders. For

¹ Adopted as the Organization of Humanitarian and Voluntary Work Act (March 2006).

example, a debate was held regarding the Criminal Act and proposed amendments for more effective prosecution of rape. I was informed by the authorities that bills for greater protection of women's rights will be presented to the October session of parliament; however, I was not provided with the drafts. I hope that legal practitioners and civil society groups will be consulted to ensure that reforms to the criminal legal framework will respond to the needs of victims and improve women's access to justice.

14. Legislation necessary to establish NHRC and other commissions is pending. Commissions that have been established are not functioning; for example, the National Constitutional Review Commission (NCRC) has not met since it was re-established on 7 January 2006.² According to information received, the next meeting of NCRC will be held on 18 September. Draft bills on NHRC, the Civil Service Commission and the Land Commission as well as the Political Parties Act and the Civil Service Act, are among the priorities of NCRC.

15. A number of civil society groups participated in a consultation workshop organized by ACHR and UNMIS in May on the establishment of a national human rights commission in accordance with the Paris Principles, and called for various amendments to the draft act establishing NHRC. I welcome the dialogue which has started with civil society and encourage the Government, NCRC and the National Assembly to continue the public consultation process in regards to other bills.

16. CPA and INC envisage extensive reforms of the security sector, calling for a new National Security Service that focuses on "advice, information-gathering and analysis", rather than arrests and detentions. I met with the Acting Director and the Deputy Director of the National Intelligence Security Service in March to raise concerns about the delays in implementing reforms and continuing violations. They admitted that there have been delays, but assured me of their commitment to reform the Service in a democratic way and to implement the provisions of CPA. They said that they were trying to strike a balance between the security of the State and the rights and freedoms of the individual. A number of SPLM members had been recruited into the ranks to make the Service more representative. They told me that legislation was being prepared and the establishment of the National Security Council would be the next step. Despite what I was told by the authorities, there have not been any significant reforms, no bill has been issued for public comment and Security Service officers continue to perpetrate human rights abuses. There are many documented cases of arbitrary arrest and detention, torture and cruel treatment, and restrictions of freedom of expression and association being carried out with impunity by members of Sudan's security apparatus.

17. In March, ACHR provided me with information on efforts being taken to bring perpetrators of human rights abuses to justice. I received a list of 29 cases of rape reported to the authorities in Darfur during January and October 2005 which are under investigation. I was also provided with a list of 15 police and military officers whose immunity had been lifted and who have been prosecuted for crimes committed between 1991 and 2003. I was informed about the Hamada reconciliation agreement between the tribes and told that immunities had been lifted for Security

² For regularly updated information see CPA Monitor, a monthly report on implementation of CPA at www.unmis.org.

Service officers. I also received a progress report regarding the work of the Commission for the Eradication of Abduction of Women and Children.

18. On a positive note, I was informed that, on 26 April 2006, the remaining 10 defendants accused of an attempted coup in September 2004 had been acquitted by the Special Court in Bahri, Khartoum. On returning the not guilty verdict, the trial judge accepted that the confessions had been obtained under torture and were unreliable and therefore inadmissible as evidence against the accused.

19. In August, I was informed that 23 political prisoners held in connection with the conflict had been released after the signing of the Darfur Peace Agreement (DPA). The Government informed me that they had prepared a plan for the restoration of stability and the protection of civilians in Darfur and a disarmament plan for the Janjaweed/armed militia in the framework of DPA.

20. The Ministry of the Interior has acknowledged that the prison system is underfunded and overpopulated. I was informed that more funds had been allocated to the prison service in the new budget and that Al Huda prison was being built in Omdurman with a capacity of 15,000-16,000 detainees.

21. Despite the obligation under CPA to demobilize all children in the ranks of the former warring parties by July 2005, the recent report of the Secretary-General on children and armed conflict in the Sudan (S/2006/662) states that in Jonglei State in Southern Sudan, SPLA, SAF, Community Defence Groups of the so-called White Army and other militias continue to recruit and use children. In the Darfur region, thousands of children were still thought to be actively involved in the conflict between May and July despite the signing of DPA and earlier ceasefire deals.

22. The Government launched an action plan to combat violence against women in Darfur in November 2005 and established state committees to supervise the implementation of the plan. As part of the plan, new female police officers were reportedly deployed to Darfur. A unit to combat violence against women was created under the Ministry of Justice to institutionalize efforts nationwide. The unit established additional advisory units in the three Darfur states to support the work of the State Committees to Combat Violence against Women. The state committee in Northern Darfur has three female members from the IDP camp. So far the functioning of the state committees has been irregular. Efforts have been made to address the consequences of rape in Darfur through better access to medical and social care; however, less work has been done on prevention and accountability.

23. Incidents of rape are often not reported to the police and when victims do come forward, the cases are rarely prosecuted. This is a general pattern across Darfur largely because police do not conduct prompt, effective investigations and/or because prosecutors choose not to pursue an investigation. However, there have been two recent cases which are positive signs from the justice sector and should encourage further accountability for these crimes. On 3 May, the Geneina General Court found an officer of the Central Reserve Police guilty of the crime of rape of a 10-year-old girl. This came after a number of delays, but it is nonetheless a welcome development. The criminalization of victims of rape remains a problem in Darfur and I welcome the decision of the General High Court of Al Fasher which acquitted a woman charged with the offence of adultery in November 2005. She had been raped by armed men in uniform and as a result became pregnant. She did not report

the rape to the police. When the child was born she attempted to abandon it and was reported to the police and charged with adultery and attempted murder.

C. Freedom of expression, association and assembly

24. The space for freedoms of expression, association and assembly is closing. The reporting period has been marked by a noticeable crackdown on human rights defenders, lawyers, journalists, and members of political opposition parties.

25. The new Organization of Humanitarian and Voluntary Work Act, commonly known as the NGO law, was signed into law on 16 March 2006. On a positive note, there was a consultative process and the National Assembly did make some minor improvements to the bill; however, concerns remain. The authorities have reportedly used it to curtail work on human rights. On 27 May 2006, five NGOs submitted a petition to the Constitutional Court challenging the constitutionality of the Act and calling for it to be suspended until the Court reached a decision on the matter. The petition states that the Act violates the right of freedom of association enshrined in INC by imposing unreasonable restrictions on the activities of NGOs. The petition cited many articles, including articles 7.1 (ministerial approval of project), 7.2 (approval of funding) and 11 (renewal of licence) of the Act. It also states that the Act violates articles 139, 149 and 195 of INC (regarding sources of income, grants and foreign assistance for the national, Southern Sudan and state governments). A preliminary hearing was held on 6 June and the petition was accepted by the Court; however, subsequent delays have raised concerns.

26. I am concerned that human rights defenders are being targeted by the authorities in violation of international standards which state that everyone has the right, individually or in association with others, to promote and strive for the protection and realization of human rights and fundamental freedoms.³ For example, in August lawyers who were working on a case defending five IDPs arrested during anti-DPA demonstrations were charged with defamation, furnishing false information and being a threat to national security. The investigation was opened at the request of the National Security Service, which filed a complaint with the Prosecutor's Office in Nyala.

27. Journalists continue to be summoned by the authorities and harassed when they publish articles that are critical of government authorities or State security agencies.

28. Peaceful demonstrations have been violently dispersed and demonstrators arrested and detained. For example, in Khartoum on 30 August, a peaceful demonstration attended by a coalition of opposition parties, labour unions and civil society groups to protest the recent increase of sugar and petrol prices was violently dispersed by police forces and the National Security Service. As soon as the march began, demonstrators were almost immediately sprayed with tear gas. Policemen and National Security officers severely beat a large number of demonstrators, including women and elderly men. One person died from tear-gas inhalation and several injuries were reported. At least 80 persons were arrested in the course of the incident, including at least 13 students from Khartoum universities. The majority of

³ See Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

those arrested reported that they had been harassed and severely beaten both at the time of their arrest and in police custody. On the same day, groups of students in Omdurman were dispersed by police using tear gas.

29. Prior to the demonstration, a series of arrests were carried out to prevent opposition leaders and others from joining the rally. On 29 August, four members of opposition parties were arrested in the evening hours. On 30 August, one of the organizers was arrested in the city centre, while forces entered the University of Khartoum to stop students from participating in the demonstration. Reportedly, two lecturers and one student were arrested.

30. Of those arrested, approximately 40 individuals were taken to court between 31 August and 2 September; the remaining detainees were released without charge. Many defendants were reportedly acquitted, but at least 21 individuals were found guilty of public order offences. Fair-trial guarantees were reported to have been breached during the trials, in particular access to a defence lawyer, the right to state one's case and cross-examine witnesses and the right to be presumed innocent. Further, allegations have been made that the prosecution fabricated evidence and that three judges in particular failed to act impartially with respect to the defendants. A group of 20 defence lawyers are currently preparing a letter of complaint to the head of the judiciary raising these concerns and requesting a review of the sentences passed by the three judges. If the request is denied or ignored, the lawyers intend to take the matter to the Constitutional Court.

III. Northern Sudan

31. Approximately 2 million IDPs who fled their homes due to conflict now live in camps and informal settlements in and around Khartoum. The majority of IDPs are from the south of Sudan, and a minority from Darfur and other parts of the country. These communities represent Khartoum's most marginalized populations. They are poor and under suspicion, making them prime targets for police abuse, including extortion. When the police engage in abusive activities, these victims generally have no avenue to seek redress.

32. On 18 May 2005 the police attempted to evict and relocate people in Soba Aradi and demolish their homes without advance warning or consultation. According to the Government, four residents and 15 policemen were killed in clashes. Over 600 former Soba Aradi residents were arrested in the following days, held at various police stations and severely beaten. At least one detainee died in custody. Most of the detainees were released without charge by mid-June 2005, but some 160 remained in custody. The police also arrested one of the lawyers representing the detainees. In June and July, 59 detainees were charged with rioting; 31 were convicted, including six children. The adults were sentenced to terms of imprisonment, the children to 20 lashes each. In March this year, the trial of 137 defendants, all initially charged with murder, commenced. A positive development is that the Khartoum Criminal Court dismissed charges against 62 of them for lack of evidence (article 141 of the Criminal Procedure Act 1991) in June and August 2006; however, it is regrettable that they were detained for one year in Kober prison and Dar El Thoba prison in overcrowded conditions.

33. Periodic police raids in search of alcohol brewers in IDP camps, squatter areas and resettlement areas around Khartoum from April to July 2006 resulted in

numerous human rights violations. I received reports of intimidation, extortion, harassment, physical and sexual assault and other abuses by policemen during the raids. Sexual abuse by policemen occurred during house searches as well as in police pretrial detention. Police misconduct during police raids may have contributed to an uprising by residents of the El Fateh squatter camp on 27 July during a routine alcohol raid. Police responded to the uprising with another raid on 29 July during which they used excessive amounts of force, burning shops and *rakubas* and beating civilians, while arresting 35 residents. It is questionable whether the trials of the arrested individuals complied with basic fair trial standards as the procedures are often brief and do not afford the accused an opportunity to properly state his/her case or produce witnesses. The police officers' evidence is invariably believed.

34. On 16 August the demolition of homes in Dar Assalam squatter camp, Gezira State (43 km south of Khartoum), started. Residents reported that the forces arrived with bulldozers at 4 a.m. and started demolitions. Armed police and Special Forces with tanks and vehicles with mounted machine guns were heavily present at the site and the entire area was cordoned off. Tear gas was used, resulting in a number of injuries, some serious and four fatal; children were among the dead. On 17 August I visited the site and verified that the camp, which housed an estimated population of 12,000, had been reduced to rubble in 24 hours. Trucks had been provided by the authorities to transport people and their belongings to the relocation site where some plastic sheeting was being provided to those who registered.

35. The forced relocation occurred in breach of a Memorandum of Understanding signed in January 2006 between the locality and the committee representing Dar Assalam community, according to which a relocation was accepted on the conditions that a suitable site would be agreed on by the parties and that essential services of water, education, health and security and certificates of land ownership would be provided to the residents. Serious doubts were raised by the affected community on the habitability of the new site on the basis of a survey indicating that the soil was polluted with waste from nearby chemical factories.

36. I was informed that on 15 August, the day before the relocation, 13 residents of Dar Assalam, including the head of the committee and a member of the Legislative Council of Gezira State, were arrested and severely ill-treated by police. They were released on bail six days later. One of the 13 who reported injuries was denied access to medical treatment as the police refused to issue the standard medical form required which could allow him to open a case against the police. A further 15 residents were arrested during the relocation and later released. Two journalists from a national newspaper who visited Dar Assalam to interview residents and photograph the area were detained and ill-treated by the police on 16 August. As of 11 September, humanitarian assistance offered by the international community to respond to verified urgent needs of medicine and shelter had not been accepted by the authorities.

37. Flooding of the Amri area (Northern State) has forced the evacuation of up to 2,723 households. Amri residents, who are one of three communities affected by the construction of the Merowe Dam, were warned by a government representative on 6 August 2006 that they had until 12 August 2006 to evacuate. The displaced households have no access to shelter, food or medicine. The authorities have denied access to the area to NGOs, UNMIS and journalists.

38. The Government appears to have ignored its obligations under international human rights law in regard to these communities. Principle 8 of the Guiding Principles on Internal Displacement provides that "displacement shall not be carried out in a manner that violates the rights to life, dignity, liberty and security of those affected". In relation to evictions, the Committee on Economic, Social and Cultural Rights has stated in general comment No. 7 that: "States parties shall ensure, prior to carrying out any evictions, and particularly those involving large groups, that all feasible alternatives are explored in consultation with the affected persons, with a view to avoiding, or at least minimizing, the need to use force". Principle 5 of the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials provides that whenever the use of force is unavoidable, law enforcement officials must "exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved".

IV. Eastern Sudan

39. In Eastern Sudan, various political parties and armed movements have protested against their perceived historical marginalization by the central Government. The two largest parties in this movement are the Beja Congress, representing some 2.4 million Beja people, and the Free Lions, who are mainly from the Rashayidah tribe. The two eventually merged, along with other smaller parties, to create the Eastern Front, a political party coalition with an armed wing.

40. In March I met in Khartoum with representatives from Eastern Sudan who raised concerns about the lack of justice and accountability in the region. On 29 January 2005 there was a massacre in Port Sudan, 21 people were killed and 48 people injured. The perpetrators have not yet been identified or brought to justice. A government report on the incident has not been made public. The authorities are reportedly applying pressure on victims' families to settle the cases without going to court. The representatives from Eastern Sudan insisted that it is important that the truth be known and justice done.

41. They also drew my attention to a number of alleged violations of their economic and social rights. The eastern region is characterized by chronic underdevelopment, widespread poverty and the marginalization of large strata of the population. The nutritional status of the population, support to the most vulnerable, and access to health care, especially for women and children, are matters of concern. Around mid-June, local authorities restricted United Nations travel to the region, seriously impacting on the delivery of humanitarian services to the population in need.

42. A state of emergency law is in place across Eastern Sudan, which limits the organization of peaceful demonstrations and the possibility to exercise freedom of speech and of association.

43. In early March 2006, three Beja Congress members were arrested by the National Security Service from their homes. Five other Beja Congress members were arrested on 3 and 4 April and released on 6 April. It appears that the latter group was arrested in relation to a peaceful sit-in organized by the Beja Congress on 27 March in front of the UNMIS office in Kassala to protest against the continued detention of their three colleagues and the general harassment they faced from Security officials in Kassala.

44. The Government and the Eastern Front signed a declaration of principles for the resolution of the eastern conflict on 19 June 2006 in Asmara, Eritrea. I hope the peace talks will lead to a just and equitable settlement of the conflict.

V. Darfur

45. DPA was signed by the Government of the Sudan and the Minni Minawi faction of the Sudan Liberation Movement/Army (SLM/A), on 5 May 2006. Abdel Wahid Mohamed al-Nur, the leader of another faction of SLM/A, and Khalil Ibrahim, leader of the Justice and Equality Movement (JEM), refused to sign, claiming it did not fulfil their demands. Initial reactions in Darfur as well as in Khartoum were dominated by protests and demonstrations triggered by the signing of the Agreement. Many IDPs rejected DPA, claiming that it was not representative of the majority of the population. The anti-DPA sentiment in IDP camps also led to attacks on AMIS personnel and assets, forcing AMIS to reduce its presence in a number of IDP camps.

46. The key components of DPA include power-sharing, wealth-sharing, a comprehensive ceasefire, final security arrangements and the Darfur-Darfur Dialogue and Consultation (DDDC). On 7 August, Minni Minawi (SLM/A) was sworn in as Senior Assistant to the President, the fourth-highest position in the Sudanese Government of National Unity and Chairperson of the Transitional Darfur Regional Authority (TDRA) tasked with overseeing the implementation of many provisions of the DPA.⁴

47. During my meeting in August with the Senior Assistant to the President, he explained that many joint mechanisms were in the process of being created for implementation of DPA and security arrangements were being made. He said that he was calling on the other rebel factions to join the agreement and was trying to accommodate their demands.

48. The Government's plan for stabilization and peace contains some positive elements; however, the planned deployment of 10,500 Sudanese forces in contravention of the DPA provisions is of serious concern. There cannot be a military solution to the conflict and increased military intervention will only escalate tensions in the region.

49. In accordance with the Government's plan for the neutralization and disarmament of the armed militia, a disarmament exercise was held on 23 June in Southern Darfur. AMIS confirmed that the Janjaweed had handed over 128 weapons to an SAF brigade deployed 80 km north-west of Nyala. However, in the absence of a clear definition of *Janjaweed*, or constructive engagement of tribal leaders commanding militias, disarmament initiatives remain contentious. Meanwhile, militia groups continue to operate with impunity throughout Darfur, attacking villages, stealing livestock and harassing IDPs. The Cease-fire Commission remained paralysed, with many ceasefire violations unaddressed.

50. The Deputy Governor of Northern Darfur briefed me on the progress made in implementation of DPA in the state. He said that the state constitution had been

⁴ See The DPA Monitor, a monthly report on the implementation of DPA, at www.unmis.org.

modified and technical committees established to revise laws at the state level. He reported that people detained in relation to the conflict had been released.

51. In Western Darfur I was informed that the Security Committee had issued decree No. 3 dated 27 July 2006 on prohibition of uniforms and weapons for unauthorized persons and also to prevent military forces or others from carrying and shooting guns in the towns and markets. I was also told that to increase security for IDPs and humanitarian supply routes, demilitarized zones and buffer zones around IDP camps would be established. Interlocutors in Western Darfur raised concern that these zones could lock the IDPs into an enclave surrounded by armed people, putting them at great risk. Moreover, people want to return to their land to farm and look after their cattle, and not only to be protected in the camps.

52. In August, I visited Northern and Western Darfur and was extremely disturbed by the critical human rights situation there. There are clear signs of a further deterioration in the coming months if action is not taken to protect civilians from attacks and to end the conflict through peaceful means. Despite DPA, ceasefire provisions and what I was told by the authorities about greater security in the region, there has been an upsurge in violence resulting in killings of civilians, rape and displacement.⁵ Sudanese armed forces, militia and armed rebel factions continue to commit severe human rights violations and breaches of international humanitarian law.

53. The level of violence in Darfur continues to rise. Civilians, in particular those living in rebel-controlled areas, are exposed to abuses either as a result of indiscriminate attacks or as a result of getting caught in the middle of clashes between warring parties. There is a clear failure to observe international humanitarian standards and differentiate between combatants and the civilian population during clashes. Civilians from tribes perceived as supporting the opposition or opposing DPA are also being intentionally targeted by the different factions.

54. The use of air support during attacks on civilian populations is of particular concern as the situation appears to be reverting to patterns observed during the conflict in 2004. For example, on 29 July 2006 a government Antonov flying in the direction of El Fasher, Northern Darfur, bombarded Jebel Nazra and Hassan villages (in the vicinity of Kulkul). As a result, one woman died, six civilians were injured and houses and a school were destroyed. After the first bombings soldiers of the Minni Minawi faction looted the properties in the village before fleeing the area. On 30 July, Gosh Marakh village was bombed. On 31 July, more air bombing took place in Um Hashab village, injuring a 7-year-old girl. On 1 August, further bombing took place in the Yonka area.

55. Large-scale militia attacks against civilian targets continue in Western Darfur. Two villages located north-west of Abu Surug were the target of a series of militia attacks from 17 July to 2 August, resulting in 12 civilian deaths, including three children and an elderly man. For example, on 30 July, 20 armed militia on horseback dressed in green camouflage uniforms approached Abu Surug and moved north towards Malaga. They came upon a woman cultivating her land with her two

⁵ For more information see fourth periodic report of the United Nations High Commissioner for Human Rights on the situation of human rights in the Sudan, "Deepening crisis in Darfur two months after the Darfur Peace Agreements: An Assessment" at www.ohchr.org.

boys, aged 12 and 13. The two boys were shot and killed by the militia. Outside Malaga, the militia encountered a 16-year-old student, who was also shot and killed. The next day, about 150 armed militia approached Malaga village from different directions and started shooting at the village. Most of the men of the village had already left after the previous day's attack, but a large number of people remained. Six men who attempted to escape to the mountains were ambushed by the attackers. Three were killed, including an 85-year-old man. Following the attacks, 1,394 new households were displaced to Abu Surug.

56. From 28 to 31 August, hundreds of armed militia from Habania and Fallata tribes attacked 10 villages in the locality of Buram, Southern Darfur, forcing the civilian population to flee. The attackers travelled on camels and horseback and wore uniforms. There are reports of at least 38 killed and 23 injured, 11 critically. The affected population, estimated to be about 10,000, is mainly of the Zaghawa, Massalit, Misserya Jamal and Tama tribes. As a result of overflowing rivers caused by the seasonal rains and the ongoing presence of armed militia surrounding the area, many people have been reported to be hiding in the bush and are left without access to humanitarian assistance.

57. As a result of the interfactional SLA fighting in Northern Darfur, accompanied by large-scale attacks on villages, killings and looting, there was massive displacement of civilians to other villages and to IDP camps in Tawila, Shangil Tobayi and Al Fasher town. According to the Office for the Coordination of Humanitarian Affairs, 25,000 persons were displaced during the month of July alone. Many villages are now empty. Civilians who remained in the villages are forced to pay fees to the controlling rebel militia. Northern parts of the region also saw heavy clashes between SAF, SLA, JEM and the newly formed National Redemption Front and G19 groups opposed to DPA. In the Tawila-Korma corridor, there were over 100 killings, many large-scale lootings of villages, beatings, abductions, rapes and some cases of torture in the month of July.

58. The seasonal migration of nomadic tribes has added to the already significant presence of militias and other armed elements around farming communities and IDP camps; tensions along the border with Chad continue to destabilize areas of Western Darfur. IDP leaders reported high insecurity within and outside the camps and the infiltration of militias in camps. IDPs cultivating their farms or collecting wood outside the camps are vulnerable to abuses by members of different tribes and militia groups, particularly in Western Darfur. This ongoing threat restricts the freedom of movement of IDPs and undermines their ability to cultivate land beyond the outskirts of the camps, affecting their livelihoods and the realization of their right to food.

59. There has been an alarming increase in the number of rape cases around Kalma camp, Southern Darfur, with a population of approximately 120,000 IDPs. According to reports received, between 130 and 200 women and girls were raped between the middle of July and the time of my visit in August. For example, 21 women were reportedly raped on 23 July while collecting grass north of Kalma. About 300 armed militiamen wearing khaki uniforms surrounded them. Some of the women were carrying babies who were thrown to the ground when the women were taken away. The militia told the women to "get ready for rape". When the women resisted, the militia shot their guns into the air to intimidate them, calling them "Tora Bora" — a derogatory name for rebels — and "black slaves".

60. There have also been multiple attacks by alleged members of Chadian Opposition Groups, in villages north of Dorti IDP camp, near El Geneina, Western Darfur, who said they were looking for female "Tora Bora". For example, on 27 and 28 July, alleged members of those groups wearing military uniforms entered homes in Waylo village looking for young women and girls to take away with them. In Korgi village, on 11 August, two armed men entered six homes searching for young women and girls.

61. As the security situation deteriorates in Darfur and the population becomes increasingly vulnerable, I am concerned that the Government is not taking the necessary action to facilitate the delivery of humanitarian assistance to the affected communities. Many civilians cannot be reached by humanitarian organizations due to the fighting or restrictions that have been imposed by the authorities on the delivery of assistance. Access is at its lowest levels since 2004. There has also been a sharp increase in deadly attacks on humanitarian staff.

62. Justice and accountability are critical to achieving lasting peace and security in Darfur. In resolution 1593 (2005), the Security Council referred the situation in Darfur to the International Criminal Court following the report of the International Commission of Inquiry (S/2005/60), which established that the Government of the Sudan, the Janjaweed and rebels are responsible for international crimes, including crimes against humanity and war crimes. The Commission conducted independent investigations to establish facts and gathered extensive information on multiple incidents of violations affecting villages, towns and other locations across Darfur. These serious violations continue to be perpetrated with impunity and the Government is unable and unwilling to seriously address the situation. At any time after the initiation of an investigation the Pre-Trial Chamber can issue a warrant of arrest in respect of a person if, having examined the application and the evidence or other information, it is satisfied that there are reasonable grounds to believe that the person has committed a crime within the jurisdiction of the Court and the arrest of the person appears necessary to prevent the person from continuing with the commission of that crime or a related crime which is within the jurisdiction of the Court and which arises out of the same circumstances.

63. The Government of the Sudan has created the following mechanisms to deal with the alleged crimes in Darfur: the Special Criminal Court for the Events in Darfur, established in June 2005, and two similar additional courts created in November 2005; ad hoc institutions to support the work of those courts, including the Judicial Investigation Committee and the Special Prosecutions Commissions; as well as the National Commission of Inquiry, committees against rape and the Special and Specialized Courts of 2001 and 2003, respectively. However, these efforts at establishing accountability and ensuring justice and reparation for the victims of the conflict have proved inadequate.

64. Despite the establishment of three new Special Criminal Courts in June and November 2005, which have the power to try serious crimes, including breaches of international humanitarian law, serious crimes are not being prosecuted. Ordinary criminal cases which do not warrant examination by a specialized court continue to be referred to these courts. The cases do not reflect the crimes committed during the height of the conflict, from 2003 to 2004, or the recent attacks perpetrated by militias, Sudanese forces or other armed groups against civilian populations. In the

few cases where officials are being prosecuted, their low rank indicates that the courts are not addressing the issue of command responsibility.

65. On 3 May, the Nyala Special Criminal Court for Events in Darfur delivered its first verdict on the only case referred to it since its establishment in November 2005. The case involved the attack in October 2005 on Tama village where pro-Government militia killed 28 civilians. The three men (two members of the Military Border Intelligence Service and one civilian) on trial were acquitted due to lack of evidence, on charges of robbery (Criminal Act, art. 175) and war crimes (pillaging), as per article 8 (2) (b) (xvi) of the Rome Statute, but were found guilty of other charges. The two Military Border Intelligence officers were convicted of criminal joint acts (Criminal Act, art. 21) and theft (*ibid.*, art. 174) and sentenced to three years' imprisonment; the civilian was found guilty of theft and was sentenced to two years. This case demonstrates the inadequacy of the Special Criminal Court in holding the appropriate high-level officials accountable, and the failure of police to conduct proper investigation.

66. Following a number of attacks against civilians launched by militia and/or SAF between September 2005 and February 2006, the Government established numerous investigatory committees for Hamada, Aro Sharow, Guzminu, Tama, Tiwal and Shearia. Little emphasis was placed on bringing the perpetrators to justice. State responsibility was not addressed as the committees generally portrayed the violence they investigated as inter-tribal disputes, despite strong indications of State involvement. The methodologies of most of the committees were unclear and inadequate and lacked transparency. The findings were not made public. Committee impartiality and independence were undermined by the participation of armed forces and other security agencies personnel.

67. The General Amnesty, issued by Presidential Decree No. 114 on 11 June 2006, may further entrench impunity for serious violations of international human rights and humanitarian law. The amnesty provides immunity from domestic criminal prosecution to members of armed movements that have signed DPA and to parties that participated in Government-endorsed tribal reconciliation processes in Darfur, as well as to those that supported and committed themselves to DPA. The wording of the amnesty is ambiguous and unclear; it does not outline the crimes for which amnesty will be granted, nor does it provide the procedures for applications for amnesty, which makes it unclear whether there are any limitations to the crimes that can be pardoned.

68. On 27 June, amnesty was granted to 13 individuals in Northern Darfur, including two former Military Intelligence officers convicted of murder by the Special Criminal Court on the Events in Darfur for torturing a 13-year-old boy to death. The term "tribal reconciliation" was broadly interpreted to include a private settlement reached between the perpetrators and the victims' families. The process for choosing who to pardon was not transparent — in this case, the decision to pardon the two men was made by a committee designated by the Head of the Judiciary of Northern Darfur, comprised of himself, the Governor and the Chief Prosecutor.

69. The administration of justice is generally poor. In conflict-affected areas and in remote areas there is little or no access to justice institutions. For example, eight prosecutors had been assigned to cover the State of Western Darfur. However, at the time of my visit there were only four. Even where institutions are accessible to

victims, police and prosecutors often fail to launch an investigation or prosecute cases related to the conflict. Settlements out of court are used to reduce sentencing. For example, the two convicted soldiers referred to above were sentenced to only two years' imprisonment following an agreement by the family to accept compensation in lieu of punishment. Such agreements are permitted under the criminal law but there are no provisions to prevent coercion of weak victims by powerful perpetrators. Members of the government security forces are granted broad immunity by Sudanese law in relation to allegations of criminal conduct in the course of performing their duties.⁶ Typically, there are delays at the commencement of hearings by civilian courts pending confirmation of the granting of civilian jurisdiction, and government security forces officials often do not execute arrest warrants.

VI. Southern Sudan

70. The human rights situation in the South remains fragile, in particular with regard to the enjoyment of social and economic rights. Poverty is overwhelming. The rights to education, health and adequate housing, as well as the right to development are almost non-existent. Returnees and IDPs are starting to arrive and face enormous difficulties with reintegration.

71. Outside the towns, insecurity continues due to the absence of the rule of law and the presence of different armed groups/militias. Armed groups are occupying and ruling areas by force. Killings, rapes, extortion, looting, harassment and intimidation have reportedly been committed with impunity.

72. SPLA began to disarm the civilian population and OAGs in northern Jonglei State as part of the Juba Declaration of 9 January 2006. The first major clash between the armed groups and SPLA occurred in late February, around Yuai. Since then the disarmament has continued with regular conflict between SPLA and the armed local population. The disarmament campaign undertaken by SPLA gives members of armed groups the option to surrender their weapons or keep them and join SPLA. Sometimes members use their new SPLA status to continue to launch attacks against rival tribes and to conduct cattle raids. The slow pace of disarmament is causing problems, as communities that are disarmed are vulnerable to attacks from militias that have yet to be disarmed.

73. There have been reports that the new troops are undisciplined and untrained, harassing the local population and abusing their power. For example, in Bur village, the continuing presence of armed Equatoria Defence Forces soldiers prevents displaced villagers from returning to their homes.

74. The Lord's Resistance Army (LRA) is reported to be responsible for attacks on villages and human rights abuses in Southern Sudan. Following an extended effort by the Government of Southern Sudan, the Government of Uganda and LRA launched talks in Juba on 14 July. On 26 August, the Government of Uganda and LRA signed a cessation of hostilities agreement in Juba, which requires LRA members to assemble at two designated points in Southern Sudan. I welcome the recent cessation of hostilities agreement. A comprehensive peace agreement which

⁶ Section 46 of the Police Forces Act (1999); Criminal Decree No. 3/95, Trial of accused who are subject to the Peoples Armed Forces Act (1986); section 33 of the National Security Act (1999).

would address peace, justice and reconciliation issues in accordance with international human rights and humanitarian law is now required. In addition, it is necessary for the Government of National Unity and the Government of Southern Sudan to cooperate with the International Criminal Court as an important stepping-stone towards a durable solution for northern Uganda and to curb the violence in Southern Sudan.

75. The Southern Sudan Legislative Assembly was formed and the Interim Constitution of Southern Sudan was adopted on 6 December 2005. The Interim Constitution recognizes as an integral part of the Bill of Rights "all rights and freedoms enshrined in international human rights treaties, covenants and instruments ratified by the Republic of the Sudan". It also stipulates the equality of men and women before the law and contains specific provisions on the rights of women.

76. However, the general lack of human and financial resources in Southern Sudan impacts negatively on the delivery of services and facilities by the Government, hindering its capacity to provide protection to civilians. The police lack basic equipment and personnel. Moreover, many of the existing judicial personnel are not adequately trained, contributing to delays in the administration of justice and a general lack of respect for the rule of law. The general lack of judges and civil servants causes delays in hearing cases, which can result in the prolonged detention of suspects on remand.

77. The members of the Southern Sudan Human Rights Commission were appointed by the President of the Government of Southern Sudan on 28 June in Juba. While this is a positive step, I am concerned that the members were appointed without the enactment of the law which would set out the mandate and function of the Commission. It is pertinent that all commissions, including this one, function with independence and effectiveness, as called for in CPA.

VII. Conclusions and recommendations

78. **The people of the Sudan had high expectations following the signing of the Comprehensive Peace Agreement and the adoption of the Interim National Constitution and the Interim Constitution of Southern Sudan, which marked a watershed in the country's history and provided a framework for the protection of human rights. However, the delays in the implementation of CPA, including in the harmonization of national legislation with INC and international standards, have caused disappointment and lack of confidence in the parties and the process. One year after the adoption of INC, laws which seriously violate the constitution and international human rights standards are still in use.**

79. **Human rights continue to be violated. Fundamental freedoms of expression and association are curtailed by the National Security and Military Intelligence Services. Human rights defenders, journalists, students, political opposition parties, IDPs and tribal leaders continue to be targeted for their activities, in violation of CPA and INC. I received credible reports that the security apparatus continues to arbitrarily arrest and detain. Detainees are often subjected to torture and ill-treatment and denied pre-trial and fair-trial**

guarantees. These violations are documented in Khartoum, Darfur, Eastern Sudan and Northern Kordofan.

80. The Government is also failing to protect economic, social and cultural rights. Widespread poverty and marginalization continue to be sources of political unrest throughout the country.

81. The situation in Darfur deteriorated dramatically since my last visit in March. Despite the signing of DPA and a new ceasefire, there has been an upsurge in violence with increased intra-SLA fighting. DPA has not yet brought peace and the situation in Darfur is volatile and tense. A more comprehensive peace should be established through a Darfur-Darfur dialogue and consultation to build consensus among all sectors of society on the way forward.

82. The Government of National Unity, militia and armed groups continue to commit serious abuses under international human rights and humanitarian law. In particular, they have conducted indiscriminate attacks, including killing of civilians, torture, rape, pillaging and forced displacement. In addition many people have been arrested and detained at checkpoints, and many have been held incommunicado and tortured. Furthermore, I have received reports that militia based in Darfur are attacking civilians across the border in Chad and the Central African Republic.

83. All the signs suggest that there will be an escalation of violence in the coming months, especially if AMIS pulls out and leaves a security vacuum. Experts are predicting that there could be mass killings of civilians and are calling for action to prevent further commission of serious crimes. Impunity and lack of disarmament remain the largest obstacles to the prevention of future crimes. Sudanese efforts towards establishing accountability and ensuring justice and reparation for the victims and survivors of the conflict have so far proved inadequate. The prosecution by the International Criminal Court of persons responsible for the most serious crimes in Darfur would contribute to sustainable peace.

84. Finally, the human rights situation in Southern Sudan and Eastern Sudan also demand attention. Unfortunately, the intensification of the conflict in Darfur has overshadowed issues in other parts of the country, which also must be addressed through implementation of CPA.

85. The Special Rapporteur makes the following recommendations:

(a) The warring factions should:

(i) Respect their obligations under international human rights law and international humanitarian law, in particular with regard to the protection of civilians;

(ii) Cease all hostilities and comply with the applicable ceasefire agreements, such as DPA or other (N'Djamena) pre-existing ceasefire agreement, and enter into an inclusive dialogue process to resolve the conflict peacefully;

(iii) Facilitate the provision of humanitarian assistance by the United Nations and other agencies and grant those engaged in the provision of

such assistance rapid and unimpeded access to the IDPs and people in great need;

(b) The Government of National Unity should:

(i) Protect all human rights and fundamental freedoms by creating conditions in the social, economic, political and other fields, as well as legal guarantees, to ensure that all persons, individually and in association with others, are able to enjoy all those rights and freedoms in practice;

(ii) Increase the budget allocations for development of marginalized areas, especially for provision of education and health service;

(iii) Prioritize law reform in order to harmonize national law with the Interim National Constitution and international human rights standards. Immediate attention should be given to the Criminal Act, the Criminal Procedure Act, the National Security Act, the Armed Forces Act, the Press and Publications Act and the Police Forces Act. Consultations should be held without delay with a broad spectrum of society, especially relevant professional groups, to ensure that the proposed reforms respond effectively to the actual needs of victims and society in general;

(iv) Disarm the Janjaweed and other armed groups and take all effective measures to prevent cross-border incursions into Chad and the Central African Republic, and put in place strict vetting procedures in accordance with international human rights law to ensure that those responsible for the most serious human rights and humanitarian law violations are not absorbed into the regular armed forces or given government positions;

(v) Protect the physical security and freedom of movement of the people of Darfur by putting in place a credible, capable and professional police force, sufficient prosecutors and a stronger judiciary;

(vi) Ensure that amnesty is not granted to individuals known to have carried out or ordered large-scale attacks, even if they have subsequently participated in tribal reconciliation meetings. The list of crimes for which individuals can receive amnesty should be specified and it should not include genocide, war crimes and crimes against humanity;

(vii) Continue efforts to prevent and respond to Sexual and Gender-based Violence through the implementation of the Action Plan for the Elimination of Violence against Women in Darfur. The work of the state committees on this work should be evaluated regularly to ensure that effective action is being taken to prevent incidents and ensure appropriate response from law enforcement agencies and the legal system;

(viii) Ensure that urban re-zoning that results in relocations occurs in a manner that respects the dignity and rights of affected people. Relocation sites must be fit for human habitation. All relevant authorities should be instructed that any evictions or relocations may only be carried out in full compliance with international human rights law;

(ix) Where evictions are necessary and comply fully with Sudan's international obligations on the right to adequate housing, ensure that all law enforcement officials who assist in carrying out the evictions comply

with the United Nations Code of Conduct for Law Enforcement Officers and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;

(x) Investigate all reports of human rights violations proactively and bring perpetrators to justice to stop the culture of impunity;

(xi) Strengthen cooperation with the International Criminal Court and ensure that there is no domestic amnesty for persons who have committed war crimes and crimes against humanity;

(xii) Establish the National Human Rights Commission in accordance with the Paris Principles, guarantee its independence and allocate sufficient funds to ensure its effectiveness;

(xiii) Ratify the remaining international instruments for the protection of human rights: the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Rome Statute of the International Criminal Court;

(c) The Government of Southern Sudan should:

(i) Take measures to guarantee security within its territory and especially in the rural communities;

(ii) Ensure that law enforcement officials are given training, resources and equipment for the effective discharge of their duties in accordance with international human rights standards;

(iii) Accelerate the process for the restoration, rehabilitation and strengthening of the judiciary and the penitentiary institutions to curb crime and provide justice to victims;

(iv) Prevent SPLA interference in the administration of justice (especially the police and the judiciary), and provide training to soldiers on their functions and roles and ensure that they live in the barracks;

(v) Take appropriate measures, with the support of the international community, in carrying out a systematic demobilization, disarmament and reintegration programme for ex-combatants and those belonging to OAGs and ensure that rural communities, once disarmed, are not left vulnerable to attack;

(d) The international community should:

(i) Urgently strengthen AMIS so as to provide an immediate and effective peacekeeping force to protect civilians;

(ii) Support and facilitate an inclusive dialogue process in Darfur to create peace;

(iii) Continue to provide technical and financial support to the Government of National Unity and the Government of Southern Sudan to implement CPA and build democratic national institutions for the protection of human rights;

(iv) Support the establishment of a strong and independent judicial system and the harmonization of legal frameworks with international legal standards;

(v) Assist the Government of National Unity and the Government of Southern Sudan to implement comprehensive disarmament, demobilization and reintegration of the armed groups, including the Government-backed militias.